

Parent and Student Complaints Policy and Procedures

POLICY CATEGORY: CHILD SAFEGUARDING

June 2022

Contents

POLICY CONTROL INFORMATION	3
1. PURPOSE	4
2. SCOPE	4
3. WHAT IS A COMPLAINT?	4
4. ST KEVIN’S COLLEGE’S COMMITMENT.....	4
5. PROCEDURAL FAIRNESS PRINCIPLES	4
6. INFORMAL COMPLAINTS RESOLUTION	5
7. HOW DO I MAKE A FORMAL COMPLAINT?	5
8. OUR INTERNAL COMPLAINTS HANDLING PROCESS	5
9. RECORDING OF COMPLAINTS	7
10. COMPLAINTS ABOUT THE PRINCIPAL.....	7
11. ESCALATION.....	7
12. REVIEW OF DECISIONS	7
13. WHISTLEBLOWER PROCESS.....	7
14. CHILD PROTECTION COMMITMENT	7
15. OVERSEAS STUDENTS	8
16. FEEDBACK.....	8
17. CONFIDENTIALITY	8
18. IMPLEMENTATION OF POLICY	8
19. POLICY BREACH	8
20. RESPONSIBILITIES	8
21. RELEVANT POLICY AND REFERENCES	9
22. RELATED LEGISLATIVE INSTRUMENTS	9
23. POLICY APPROVAL STATUS	9
APPENDIX A – COMPLAINTS HANDLING FLOW CHART	10
.....	10
.....	10

POLICY CONTROL INFORMATION

POLICY RISK RATING	POLICY REFERENCE	OWNER	ENDORSED
High	COM062022	Principal	Principal
DATE FIRST CREATED	VERSION	APPLICABLE TO	DATE APPROVED
Mar 2020	2.0	College Community	Dec 2020
APPROVER(S)	NEXT REVIEW DATE	LOCATION	PORTAL RELEASE
EREA BOARD	MAY 2023	O:\Governance\Policies	CompliSpace – Policy module Parent portal Student portal Website

1. PURPOSE

St Kevin's College strives to be a community of faith, hope and love where communication takes place in an environment of transparency, respect, compassion, fairness, inclusion and a Christian concern for all. Within the reality of the schooling experience, it is recognised that, from time to time, misunderstandings and issues will arise, and that these need to be resolved satisfactorily in partnership with members of the College community. These situations can be opportunities to model the love of Christ, and our response should be founded on a belief in the dignity of each person, on respect, compassion, integrity and truth.

St Kevin's College and its governing authority Edmund Rice Education Australia (EREA) welcome feedback from all members of the community and takes all complaints or concerns that may be raised seriously, particularly complaints made by or in relation to the care, safety or wellbeing of a child.

Where the complaint involves the care, safety and wellbeing of a child, the matter will be handled in accordance with the College's Child Safety Policies and Procedures. Every complaint made by a child or that relates to the care, safety or wellbeing of a child will be treated seriously and with sensitivity.

This policy is designed to assist students and parents to understand the College's complaints handling process.

2. SCOPE

This policy is provided for our community including parents and students to assist you to understand our complaints handling process.

Implementing the procedural aspects of this policy applies to all St Kevin's College staff, volunteers, contractors and St Kevin's College Advisory Council and Committee members.

This policy applies to all College activities during and outside of school hours. This includes College activities that are occurring on school campus, offsite, online, extracurricular, sport activities and programs, excursions, camps, interstate and overseas travel.

3. WHAT IS A COMPLAINT?

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

4. ST KEVIN'S COLLEGE'S COMMITMENT

St Kevin's College is committed to handling and resolving complaints fairly, 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).

5. PROCEDURAL FAIRNESS PRINCIPLES

The College is committed to ensuring procedural fairness when determining an appropriate resolution to a complaint and will, where possible:

- respect the right of all parties to be heard and treated fairly
- respond to complaints promptly and thoroughly
- make sure all parties understand the complaints policy and the process
- if the complaint is about a person, give that person the opportunity to respond to any allegations
- conduct investigations impartially, substantiate the facts of the matter and maintain appropriate records
- appropriately communicate the reason for any decision and any action it intends to take
- meet privacy and other legal obligations
- record complaints on a secure database with relevant levels of authorised access.

Our program includes the establishment of an online complaints management register which allows us to effectively capture, manage and report on complaints. The regular analysis of complaints received and the implementation of rectification action, where deficiencies are identified, are key to our commitment.

6. 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 register so we are able to identify any systemic issues arising, and take appropriate rectification action.

7. 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:

Sending an email to feedback@stkevins.vic.edu.au

Writing a letter to St Kevin's College addressed to "The Director of Child Safeguarding"

Calling St Kevin's College on (03) 9822 0911 and asking for your details to be sent to the Director of Child Safeguarding.

All formal complaints will be logged into our online complaints management register and managed in accordance with the following procedure. For formal complaints, we recommend that you provide the following:

- Date and time of alleged incident (if known)
- Names or persons/students involved or any potential witnesses
- Whether the matter was informally raised and if so to whom and details of communication
- Any additional supporting material

8. OUR INTERNAL COMPLAINTS HANDLING PROCESS

(Refer to Appendix A for Flow Chart of Complaints Handling Process)

Step 1

All formal complaints received are logged through our online complaints management register where they are screened by the Assistant to the Leadership Team, the Director of Child Safeguarding, or, in the case

of a complaint directly related to conduct by the Principal or Member of the College Advisory Council, to the EREA Regional Director.

Step 2

We will aim to acknowledge all complaints in writing within 5 business days. They will 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 15 business days of acknowledging the complaint.

Step 3

The Principal or delegate shall arrange for an investigation into the issues raised, following principles of procedural fairness.

The investigation will establish the circumstances of alleged events and explore options for resolution. At the discretion of the Principal, the initial investigation may be conducted by either an internal or external investigator and may consist of interviews with involved parties or subject matter experts and/or documentation to determine the full circumstances leading to the complaint. Following completion of the investigation, the investigator will make a determination and recommendation in writing to the Principal.

Step 4

The Principal 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 Principal or delegate will facilitate further actions which may include (but is not limited to) the following options (with the agreement of the complainant):

- Further investigation to seek additional information or submissions from the relevant parties
- Mediation
- Counselling
- Other restorative practices

The Principal will seek to resolve all disputes within 30 business days of the acknowledgement of the complaint. The matter will be closed if the response of the Principal, is accepted.

Step 6

Where the matter remains unresolved, the Principal must report the matter to the EREA Regional Director.

Step 7

If the matter remains unresolved, the complainant may seek a review of the complaints handling process and resolution by contacting the EREA Regional Director on info@erea.edu.au or an external agencies such as:

1. Catholic Education Commission of Victoria (CECV)
2. Victorian Registration and Qualifications Authority (VRQA)
3. Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

9. RECORDING OF COMPLAINTS

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. Corrective action may include revisions to College policies and procedures.

10. COMPLAINTS ABOUT THE PRINCIPAL

Complaints or grievances regarding the Principal can be directed to the EREA Regional Director at info@erea.edu.au

If the complaint involves allegations of serious misconduct, please refer to the Whistleblower process below.

11. ESCALATION

A complaint may be escalated during any stage of the complaints process. If a complaint remains unresolved within timeframes we consider reasonable, it will be escalated, unless agreed otherwise by the parties involved. Escalation of a complaint may include requesting an alternate staff member to review the complaint or the commencement of a formal investigation.

12. REVIEW OF DECISIONS

In accordance with Step 7 above, if a formal decision has been made and the complainant is not satisfied with the process and/ or outcome the complainant can contact the EREA Regional Director or an external agency for review.

13. ANONYMOUS COMPLAINTS

Anonymous complaints are accepted, however, should additional information be required to investigate the complaint, the absence of identifying and contact information may mean investigation cannot be undertaken.

14. WHISTLEBLOWER PROCESS

Where the complaint involves allegations of serious misconduct, the complainant may choose to follow the College's Whistleblower process, which can be found in the Whistleblower Policy and Procedures here.

15. FRIVOLOUS AND VEXATIOUS COMPLAINTS

Where complaints are found to be unsubstantiated, misconceived, frivolous, vexatious, unlawful or in breach of this Policy, the College may dismiss the complaint in writing to the complainant.

Students who deliberately make false or malicious complaints may be subjected to disciplinary action at the discretion of the Principal.

16. CHILD PROTECTION COMMITMENT

We are committed to protecting students in our care. We have zero tolerance for child abuse and are committed to acting in children's best interest, keeping them safe from harm. All child abuse complaints must be addressed in accordance with the College's Child Safeguarding (Safety and Protection) Policy and Procedures and Child Safeguarding (Responding and Reporting) Policy and Procedures, child protection laws and reporting obligations. Please report concerns to the Director of Child Safeguarding, Liz Weir, via weire@stkevins.vic.edu.au

17. OVERSEAS STUDENTS

If an overseas student isn't satisfied with the outcome of St Kevin's 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

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

18. FEEDBACK

St Kevin's College also values positive feedback. We welcome you to provide any feedback to feedback@stkevins.vic.edu.au

19. 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. St Kevin's 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.

20. IMPLEMENTATION OF POLICY

This Parents and Students Complaints and Grievances Policy is available to parents and carers, students and our community who are able to access this policy on the College website, College staff and parent portals or provided on request to any person.

All staff will be made aware of their responsibilities with regard to this policy. Training will be provided to staff on the commencement of their employment and annually on identifying risks and their responsibilities.

21. POLICY BREACH

A breach of this policy or procedure may lead to disciplinary action.

All breaches, near misses and risks related to this policy should be reported to incidents@stkevins.vic.edu.au

Compliance with this policy will be monitored by the Principal and Governance Advisor and this may include independent audits and reviews.

22. RESPONSIBILITIES

EREA Board

The EREA is the College's governing authority. The EREA Board is responsible for endorsing this policy, ensuring this policy is reviewed and updated as needed and reviewing the College's compliance with this policy and child safety obligations.

The Principal

The Principal is responsible for the College's compliance with this policy.

23. RELEVANT POLICY AND REFERENCES

This policy provides the overarching foundation for our Child Protection Program.

Key relevant policies to support our program include:

- Child Safety Code of Conduct
- Child Safeguarding (Safety and Protection) Policy & Procedures
- Child Safeguarding (Responding and Reporting) Policy & Procedures

24. RELATED LEGISLATIVE INSTRUMENTS

The following legislation, standards and regulations apply and this policy aligns with these mandated requirements:

- Ministerial Order 1359;
- Education and Training Reform Act 2006 (Vic);
- Child Wellbeing and Safety Act 2005 (Vic);

25. POLICY APPROVAL STATUS

POLICY RISK RATING	POLICY REFERENCE	EREA APPROVAL
High	COM062022	EREA Board
DATE EREA APPROVAL		
Dec 2020		

APPENDIX A – COMPLAINTS HANDLING FLOW CHART

