



With Jesus Christ as our inspiration and guide, we are called to provide high-quality Catholic education in the Diocese of Bathurst'

COMPLAINTS MANAGEMENT POLICY

1. MISSION AND VALUES

In partnership with the family, parish and community, our schools nurture a relationship with Jesus, celebrate and share the Catholic faith, and educate to enable all to make a positive contribution to the world.

We are therefore committed to:

- The provision of a safe, inclusive and professional learning environment
- The use of a variety of methods, technologies and techniques to enhance learning and teaching
- Recognition of the diverse needs of learners
- Excellence in learning and teaching.

2. PURPOSE

The purpose of this policy is to clarify the agreed practices for complaints management in schools and at Catholic Education Diocese of Bathurst (CEDB) in relation to CEDB staff as well as students, community, volunteers, religious and contractors. This policy ensures complaints are dealt with in an effective, efficient, timely and specific process.

3. EXPECTATIONS

It is expected that all staff, students, community, volunteers and contractors at CEDB and in CEDB schools will adhere to the scope and procedures outlined in this document as these are the agreed practices of CEDB.

Individuals making a complaint can expect to be informed as to

- the designated person who will investigate the complaint
- the time frame for investigation - this may alter during the investigation but the complainant will be kept informed
- the processes involved in the investigation, including those of procedural fairness and good faith

A local Policy is not required.

4. DEFINITIONS

Complaint

A complaint involves an expression of dissatisfaction or a concern about a CEDB employee or a volunteer, religious person, or contractor, or a process. It also includes concerns about organisational, curriculum or

cultural matters. Complaints are an opportunity to identify issues and take action to improve the situation or relationship and drive a culture of continuous improvement.

Complainant

A person, organisation or advocate making a complaint.

Designated Persons

An impartial person who acts in a timely manner to investigate the complaint according to the Complaint Management Process (Appendix 2, 3 and 4).

At the school The school will consider the local school context and organisation and will nominate a designated person/s responsible for dealing with the complaint. A designated person will generally be a Coordinator, Assistant Principal or Principal. The designated person is to be communicated to relevant staff, parents and students and the complainant. This person may require training or CEDB assistance to undertake the role.

At Catholic Education Diocese of Bathurst When a complaint is received it is registered by the Personal Assistant to the Executive Director of Schools who will also inform the complainant of who the designated person is. The complaint is then communicated to the relevant Consultant to Schools who is the designated person. If the Consultant to Schools is involved in the complaint then the Executive Director of Schools will nominate a designated person to undertake the investigation.

Good Faith

A sincere intention to deal fairly with others without malice or the desire to harm others.

Procedural Fairness

A basic right of all individuals to have a legitimate expectation that Principals and Catholic Education Diocese of Bathurst staff will follow these principles when decisions are made affecting their rights, interests or legitimate expectations.

Resolution

A complaint is resolved when the issue raised has been dealt with in line with CEDB Management of Complaints Policy. The resolution may or may not be to the complainant's satisfaction.

5. GUIDELINES

The following inform this policy:

1. Good Faith
 - o All parties are responsible for participating in the process in good faith and will be treated with respect, impartiality, dignity, privacy and confidentiality
 - o Malicious or vexatious complaints do not meet the good faith criterion
 - o Anonymous complaints may not be fully investigated as they may not meet the good faith criterion and may contain insufficient detail
2. Procedural Fairness
 - o The principles of procedural fairness and timeliness will be applied in all complaints
 - o Complaints will be treated confidentially and all parties involved must adhere to confidentiality principles
 - o Investigations will be open and unbiased with all parties receiving a fair hearing
 - o No decisions or resolutions should be made until all the facts are clear
 - o The wishes of the complainant will be taken into account if possible in the investigation
3. Resolve issues directly
 - o Complaints should if at all possible be resolved at the school before referral to CEDB
 - o CEDB may refer complaints back to schools if they have not been addressed at this level
 - o All parties are welcome to take a support person to any meeting about the complaint

- o Use of other agencies may be appropriate to the process. The complainant must advise the school or CEDB if the matter is being pursued through alternative agencies
- 4. Legal Issues
 - o Any complaint that constitutes a child protection issue is managed in accordance with the Diocesan Child Protection Policy
 - o Any complaint that refers to Clergy will be referred to the Diocesan Chancery
 - o Any complaint which is potentially unlawful will be referred to an appropriate agency
- 5. Conflict of Interest
 - o If a Conflict of Interest or perceived Conflict of Interest exists, the complaint will be investigated accordingly and may use an external agency
- 6. Record of Complaints
 - o Schools and CEDB maintain a Complaints Register (Appendix 1)
 - o Documentation from the investigation is attached to the register
 - o Records are stored for the required period
- 7. Timeliness
 - o All phases of the process should be completed in a timely manner and communicated to the complainant if the process cannot occur in the recommended time frames.
 - o Initial Phase should occur within 48 hours
 - o Assess Phase should occur within 2 - 4 weeks. This will depend upon information gathered and further clarifications required
 - o Resolution Phase should occur immediately after the Assess Phase
 - o Follow up should continue for a relevant period after Resolution Phase has been implemented

6. PROCEDURES

The Complaint process

Appendix 2 contains a Complaints Process Flowchart

Appendix 3 contains the steps for Resolution of Complaints at schools

Appendix 4 contains the steps for Resolution of Complaints at CEDB

Appeals

There are two avenues of appeal if the complainant feels that the complaints procedure has not been followed correctly, or that the outcome is unacceptable.

1. Appeals at School Level

Appeals at school level are directed:

- to the Principal, if the Principal has not been involved in investigating the complaint, and is not the person named as the source of the grievance
- to the CEDB if the Principal has been involved

This appeal will consider:

- whether the complaint was handled properly in line with the Complaints Resolution process
- the outcome of the process and the basis for the appeal
- if it is resolved that the outcome is appropriate, the complainant will be notified and no further action will be taken by the school
- if it is resolved that the outcome is inappropriate or the process was not followed, the complainant will be notified and action will be taken for the complaint to be reviewed.

2. Appeals at Catholic Education Diocese of Bathurst Level

Appeals at CEDB level are directed:

- to the Personal Assistant to the Executive Director of Schools. The Executive Director of Schools will determine who will undertake a review of the outcome and process at CEDB.
- Someone other than the designated person will deal with an appeal at CEDB

This appeal will consider:

- whether the complaint was handled properly in line with the Complaints Resolution process
- the outcome of the process and the basis for the appeal
- if it is resolved that the outcome is appropriate, the complainant will be notified and no further action will be taken by CEDB
- if it is resolved that the outcome is inappropriate or the process was not followed, the complainant will be notified and action will be taken for the complaint to be reviewed.

7. LEGISLATIVE FRAMEWORK

1. *Anti-Discrimination Act 1977*
2. *Racial Discrimination Act 1975*
3. *Disability Discrimination Act 1992*
4. *Sex Discrimination Act 1984*
5. *Workplace Health and Safety Act 2011*
6. *Ombudsman Act 1976 (NSW)*

8. RELATED POLICIES AND GUIDELINES

1. *Workplace Grievance Policy* Catholic Education Diocese of Bathurst
2. *Discrimination, Harassment and Bullying Policy* Catholic Education Diocese of Bathurst
3. *Workplace Health and Safety Policy* Catholic Education Diocese of Bathurst
4. *Child Protection Policy* Catholic Education Diocese of Bathurst
5. *'Registration Systems and Member Non-government Schools (NSW) Manual* NESAS
6. *Code of Conduct for Employees* Catholic Education Diocese of Bathurst
7. *Staff Discipline Policy* Catholic Education Diocese of Bathurst
8. *Procedural Fairness Guidelines* Catholic Education Diocese of Bathurst

9. POLICY ADMINISTRATION

This policy has been ratified by the Executive Director of Schools and will be reviewed periodically, or in the event of any information or incident that indicates the need for a review, or following relevant legislative or organisational change.

It is the responsibility of anyone accessing this document to ensure that the current version is downloaded from CEDB website.

Date of Implementation	2009
Date of Last Review	2020
Date for Next Review	2024
Responsible for Review	Leader HR and Risk

Appendix

- Appendix 1 Complaints Register
- Appendix 2 Complaints Resolution Flowchart
- Appendix 3 School Process for Resolution of Complaints
- Appendix 4 CEDB Process for Resolution of Complaints

Appendix 1: Complaints Register

Date and time Complaint received		
Medium (phone, email, letter etc)		
Name of Complainant		
Contact details of Complainant		
Person receiving complaint (name and signature)		
Complaint investigation at	school investigation <input type="checkbox"/>	CEDB investigation <input type="checkbox"/>

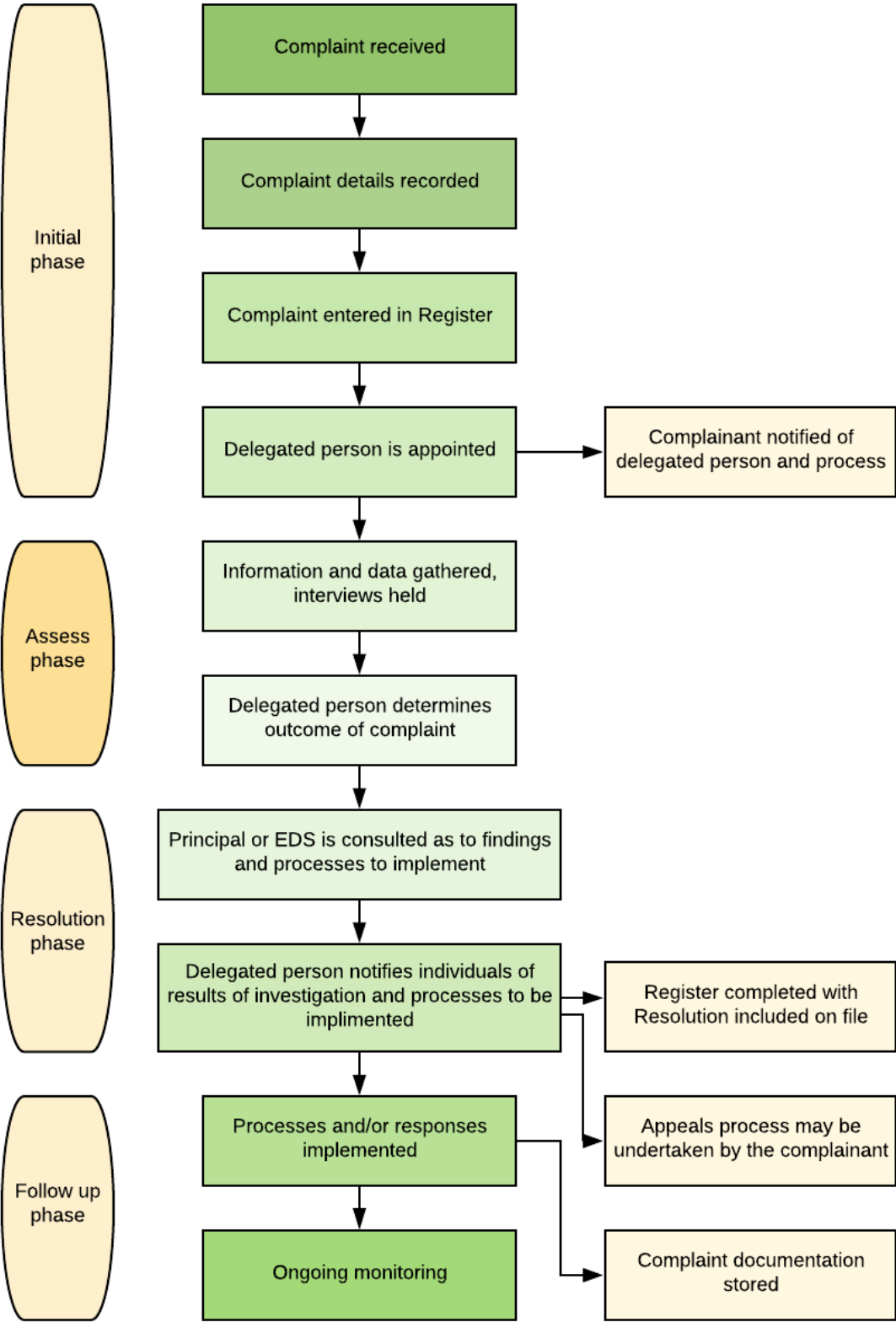
Details of the complaint and the outcome being sought

Resolution

NB. Storage of Child Protection issues – Remove and place in relevant Child Protection file

Please attach all relevant documentation to this cover sheet for Record Retention

Appendix 2: Complaints Resolution Flowchart



Appendix 3 School Process for Resolution of Complaints

After a complaint is received at a school, the following will happen:

Initial Phase

- An individual receiving a complaint involving themselves will meet with the complainant in an effort to resolve the issue at the most immediate level. This will include documenting the complaint and discussion and any resolution. This will be entered into the Complaints Register by the Principal.
- The principal or an individual receiving a complaint will obtain information from the complainant about the issue and document this initial information
- The Principal will record the complaint in the Complaints Register
- The complainant will be informed of the delegated person who will investigate the complaint
- The Principal will contact the designated person and provide details of the complaint

Assess Phase

- The designated person will contact the complainant and explain the Complaints Management Process. At this time additional Information may be gathered and documented
- The designated person will address the complaint with relevant parties and record responses. At this time clarification may be required and more than one communication may be required with the persons involved. All parties are invited to have a support person present at any meeting
- In the interests of confidentiality, only relevant witnesses will be interviewed and the importance of confidentiality will be stressed. A breach of confidentiality will be dealt with as a serious matter
- The designated person will document the process and all information gathered at all stages
- If deemed necessary, the police or another outside agency may be contacted for involvement

Resolution Phase

- The designated person will inform the Principal of the findings of the investigation and develop a response and processes for the resolution as appropriate
- If the complaint cannot be resolved at the school it may be escalated to the Consultant to Schools
- The designated person will notify all parties of the resolution. The complainant will receive a written notification of the outcome and any resolution or processes to be implemented. The designated person may also choose to discuss this with the complainant

Follow up Phase

- The Complaints Register is completed for this complaint and all documentation attached/linked. The Complaint is retained for the required period
- The designated person and/or principal will monitor the situation to ensure a culture of improvement
- If issues are uncovered during the school investigation, possible processes to implement include:
 - training for relevant people
 - behaviour monitoring or counselling or mediation
 - process monitoring
- Following the resolution of the complaint the following are possible outcomes:
 - review of processes or practices or culture
 - change of processes or practices or culture and ongoing monitoring of situation
 - training for relevant people
 - counselling
 - a written apology to the complainant
 - other action as deemed necessary
 - Involvement of CEDB and/or Consultant to School
- Follow up Monitoring processes will be
 - determined and enacted by the designated person and/or principal
 - recorded in the process.

Appendix 4 CEDB Process for Resolution of Complaints

After a complaint is received at CEDB, the following will happen:

Initial Phase

- The Personal Assistant to the Executive Director of Schools will document this initial information from the complainant about the issue. The complainant will be informed of the delegated person who will investigate the complaint
- The Personal Assistant to the Executive Director of Schools will record the complaint in the Complaints Register
- The Personal Assistant to the Executive Director of Schools may request the complaint be dealt with at the school level if there is no evidence of this process having happened
- The Personal Assistant to the Executive Director of Schools may request the complaint be made in writing if contact was by phone
- The Personal Assistant to the Executive Director of Schools will contact the Consultant to Schools (or other designated person) and provide details of the complaint
- If the complaint comes from a school as they are unable to resolve it, the Personal Assistant to the Executive Director of Schools will document this information and gather all school documentation of the process to date. The school will be informed of the delegated person who will investigate the complaint

Assess Phase

- The Consultant to Schools will contact the complainant and explain the Complaints Management Process. At this time additional Information may be gathered and documented.
- The Consultant to Schools will address the complaint with relevant parties and record responses. At this time clarification may be required and more than one communication may be required with the persons involved. All parties are welcome to have a support person present at any meeting.
- In the interests of confidentiality, only relevant witnesses will be interviewed and the importance of confidentiality will be stressed. A breach of confidentiality will be dealt with as a serious matter.
- The Consultant to Schools will document the process and all information gathered at all stages.
- If deemed necessary, the police or another outside agency may be contacted for involvement.

Resolution Phase

- The Consultant to Schools will determine how the complaint is to be resolved and implement processes for the resolution if appropriate
- The Consultant to Schools will notify all parties of the resolution. The complainant will receive a written notification of the outcome and any resolution or processes to be implemented. The Consultant to Schools may also choose to discuss this with the complainant

Follow up Phase

- The Complaints Register is completed for this complaint and all documentation attached. The Complaint is retained for the required period
- The Consultant to Schools will monitor the situation to ensure a culture of improvement and processes to address the required outcome
- If issues are uncovered during CEDB investigation, possible processes to implement include:
 - training for relevant people
 - behaviour monitoring
 - process monitoring
 - counselling
 - mediation
 - Involvement of an external agency to further investigate
- Following the resolution of the complaint the following are possible outcomes:
 - review of processes or practices or culture
 - change of processes or practices or culture and ongoing monitoring of situation
 - training for relevant people
 - counselling

- a written apology to the complainant
 - other action as deemed necessary
- Follow up Monitoring processes will be
 - determined and enacted by the designated person and/or EDS
 - recorded in the process