



Complaints and Grievances Procedures

STATEMENT:

Like all Sydney Archdiocesan Catholic Schools, St Raphael's is committed to living the values of the Gospel. In the spirit of justice, love and reconciliation, we aim to:

- develop a positive and collaborative relationship between home and school
- welcome and value diversity of opinion
- inform the staff of the changing needs of students and families
- have clear and open communication within the community.

The school acknowledges that Parents and caregivers can sometimes feel concerned about something they believe is happening in their child's school. Resolving these concerns is vital to the well-being and success of our school community.

It is recognised that parents and caregivers must have access to processes that allow them to resolve concerns in a supportive, conciliatory environment. For this reason, St Raphael's Primary School, South Hurstville, has adopted the model developed and promoted by the Sydney Catholic Schools (SCS).

PROCEDURES:

1.0 GUIDELINES

The school will follow the

- [Child Protection Policy: Mandatory Reporting Obligations](#)
- [Child Protection Policy - Responding to Allegations and Complaints against SCS Staff](#)
- [Resolution of Complaints Policy](#) in regards to:

- Children's learning, behaviour and welfare
- School organisation and management
- Student health and safety issues

Certain matters concerning Child Protection or other areas covered by specific legislation will be referred immediately to the relevant external agency.



2.0 THE RIGHTS AND RESPONSIBILITIES OF PARENTS/ CAREGIVERS

- 2.1 Any parent or caregiver has the right to raise a concern and have it responded to promptly, fairly, without fear of repercussions, and according to principles of procedural fairness. Most concerns can be resolved informally.
- 2.2 Any parent or caregiver has the right to confidentiality regarding a concern raised at the school. However, if others need to be informed, this will be explained to the parent or caregiver raising the concern.
- 2.3 Parents/caregivers have a responsibility to raise their concerns as soon as possible so that they do not become overwhelming for either the child or the family. Addressing concerns as soon as they arise is the greatest success in resolving them.
- 2.4 Parents/ caregivers are responsible for maintaining confidentiality in their child's best interests and ensuring a just outcome for any other person involved.

3.0 GENERAL PRINCIPLES

- 3.1 Confidentiality will be respected and maintained by all parties.
- 3.2 Concerns will be resolved according to the principles of procedural fairness as follows:
 - o the person considering the concern will act impartially
 - o anyone involved in the matter has the right to be heard fully
 - o all **relevant** information will be taken into account
 - o where a conflict of interest arises or is perceived to arise, an independent person may be involved with the consent of all parties.
- 3.3 Every endeavour will be made to address all concerns within **reasonable timeframes** and under mutual agreement. The resolution of concerns is most successful when prompt responses are obtained. However, Principals and school staff may not always be available to address concerns at the exact time they are raised but will make an appointment to do so at the earliest mutually available time.
- 3.4 Any person raising or responding to a concern may have a **support person** present during meetings or interviews. The support person would act as an observer but may take a more active role with the mutual agreement of all parties. Support persons must maintain confidentiality and other principles set out in these Guidelines. The Principal is to be advised of the attendance of a



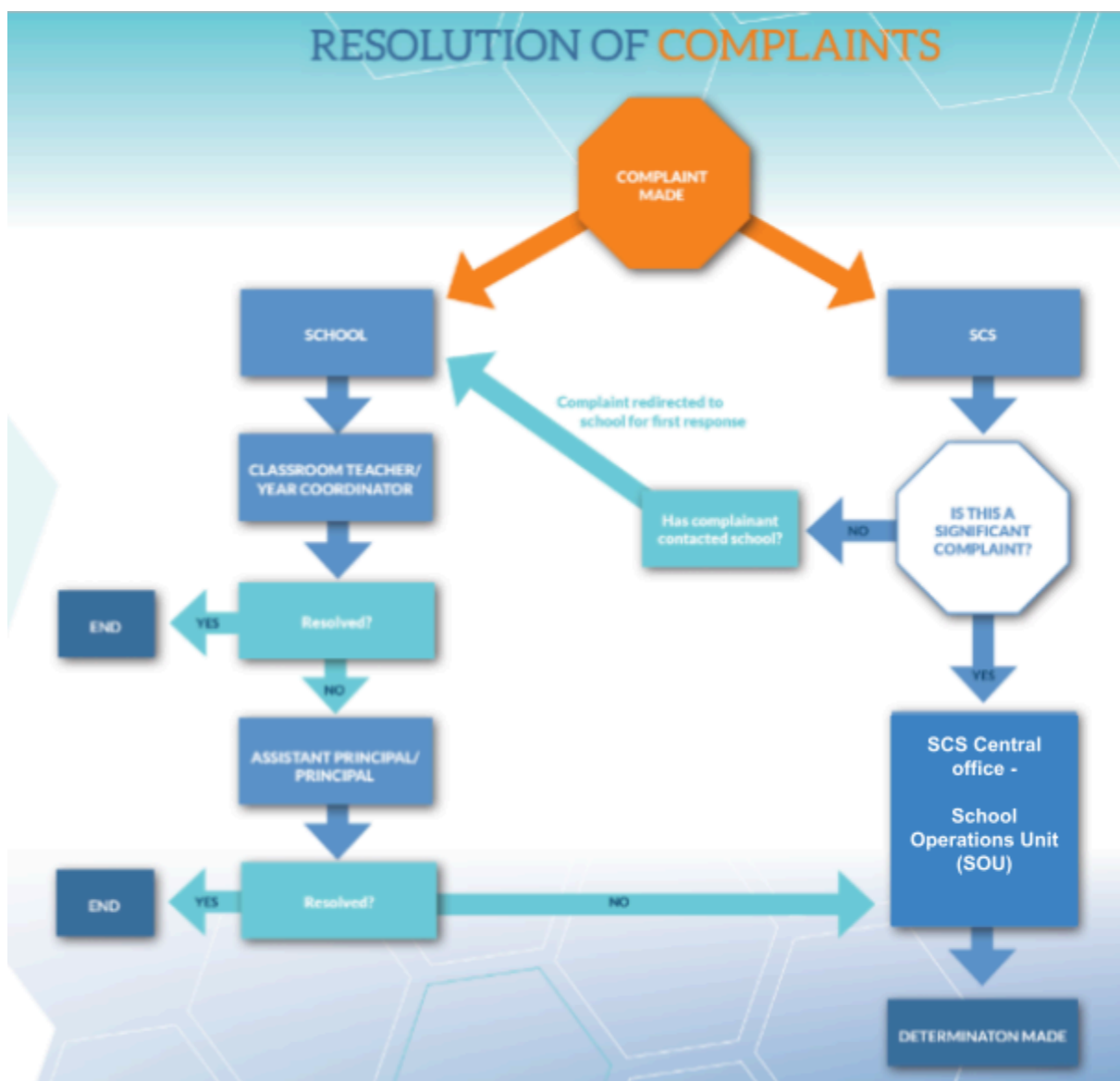
support person before any meeting or interview. Similarly the Principal will advise of any other person he/she may invite to attend.

- 3.5 **Accurate and appropriate notes** will be kept regarding the confidentiality of the concerned parties.
- 3.6 **Access to relevant records** may be given to parties directly involved in the process or to others by mutual consent whilst adhering to the conditions of the Commonwealth Privacy Act.
- 3.7 **The outcome** of a complaint resolution process will be communicated to the Parent/Caregiver in writing and there may be an agreement to review its effectiveness within an agreed timeframe.
- 3.8 **Anonymous complaints or allegations** must be accepted and forwarded for investigation in the case of:
- o allegations of child abuse,
 - o allegations of misconduct of a sexual nature by a staff member against a student,
 - o alleged breaches of legislation, including the Crimes Act,
 - o other alleged behaviour which could lead to disciplinary action if substantiated.
- 3.9 **The Principal has delegated authority** to manage concerns and complaints at school. Where the matter involves Child Protection or other areas covered by specific legislation (such as matters being handled by Police or courts), the Principal is required to refer it to the Regional or Head Office. In all other matters, every attempt will be made to resolve the matter at the level of the Principal.
- 3.10 While it is understood that all concerns about a child's education and well-being naturally cause anxiety for parents/ caregivers, **complaints are expected to be lodged in a manner that respects the dignity of the person receiving them.** Similarly, staff are expected to receive the complaint with the same level of respect.
- 3.11 Principals and staff are within their rights to require that **any meeting or discussion be discontinued** if a complainant becomes abusive, uses profane or threatening language or attempts to physically intimidate a staff member. Should this occur the complainant will be required to leave the school.



4.0 THE PROCESS

The school will follow the flow chart below in accordance with the [‘Child Protection Procedures: Responding to Complaints and Allegations’](#) and the [SCS Resolution of Complaints Policy](#) developed by the Sydney Catholic Schools.





Some key elements of the Model include:

STEP 1 - Generally, issues involving an individual child **should be raised first with the person subject of the concern, usually the class teacher**. This may not always be possible and the parents/caregivers may not feel able to talk to the person about whom they have a concern. In this instance the Principal, or Assistant Principal, is the appropriate person to address your concern:

- o where the concern involves the conduct of a staff member of the school, the matter should be taken directly to the Principal.
- o where the concern involves the conduct of the Principal the central Office can be contacted (refer to Step 5).

STEP 2 & 3 - Where the concern is not resolved, the matter should be taken up with the Assistant Principal.

STEP 4 – Where the concern is not resolved by the Assistant Principal, the matter should be taken to the Principal.

- o In most matters the Central Office will, in the first instance, assist the parents/caregivers in going back to the Principal to address the concern or complaint. If the matter is of a Child Protection or other area covered by legislation, the Central Office will take action directly.

STEP 5 – Where the concern is not resolved by the Principal after all efforts have been made to do so, or the concern is about the Principal, the Parent/Caregiver should refer the concern to the Central Catholic Education Office via the School Operations Unit (SOU).

The SOU will acknowledge and review the complaint, appoint a contact person for the complaint and work with the complainant, school and specialist personnel where appropriate (e.g. child protection, legal, student well-being).

Once an outcome of the complaint is determined this shall be shared with the complainant, including any action to be taken, the reasoning behind the decision and options for review.

STEP 6

Complainants may request an independent review of the resolution of their complaint or the handling of the complaint. The request shall be in writing or via email to the



Governance & Legal directorate. The request must set out the reasons for the review request.

Governance & Legal will determine if there is sufficient evidence to warrant the matter being reviewed. This will be undertaken by a senior SCS member within the directorate who has not previously been directly involved with the matter. If a review is not agreed to by Governance & Legal the original decision will stand, and the complainant advised why the review will not proceed.

If a review is agreed to, a point of contact within Governance & Legal will be established for the complainant. The reviewer will take all reasonable steps to gain relevant information from all parties and make a decision based upon the evidence. This may include appointing an independent investigator, who may be internal or external to the investigation to review the complaint.

Once the review is complete, the decision maker will be the Executive Director. The outcome of the review is binding on all parties in the sense that a complainant entering into that process is aware that SCS will not entertain further appeal, and that both the school and the complainant are required to accept the outcome. However, it remains the strong preference of SCS that mutually acceptable outcomes be negotiated wherever possible.

If a review recommends that the original decision should be modified or changed, Central Office will work with the school to provide a suitable resolution, based upon the findings of the decision maker. If the review concludes that the original decision should not be modified or changed, then the original decision will stand.

After the final decision in a review process, the complaint will not be reopened unless, in the opinion of the Executive Director, substantial new information has been presented that could potentially change the outcome. Substantial new information may include emergence of new documents, the discrediting of previous information that was crucial to the original finding, revelation of a conflict of interest etc.



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5.0 SYDNEY CATHOLIC SCHOOLS CONTACT INFORMATION

Sydney Catholic Schools Central Office - School Operations Unit:

- SOU phone: (02) 9568 8130
- SOU email: sou@syd.catholic.edu.au

6.0 TIMEFRAMES

- 6.1 Unless another time frame is mutually agreed upon, or where outside authorities are involved, a Parent/Caregiver can expect an acknowledgement of his/her concern within two (2) working days of lodgement.
- 6.2 A parent/caregiver can expect an attempt to address and resolve the matter within seven (7) working days of lodgement at each step in the process.

7.0 CONCERNS AND COMPLAINTS OF A CHILD PROTECTION OR LEGAL NATURE

- 7.1 Legally required processes for the management of complaints that fall within the definitions of Child Protection legislation is administered by the Central Office and is accountable to the NSW Ombudsman's Office and/or the Department of Community Services.
- 7.2 Where a teacher or Principal receives a complaint of this nature, he/she is required to inform the School Support Manager and the Child Protection Officer Team Leader at the Central Office. An investigation process will be undertaken that adheres to all of the general principles contained in the following guidelines: The school will follow the [SCS Child Protection Policy: Responding to Complaints and Allegations](#), [SCS Child Protection Policy: Mandatory Reporting Obligations](#)
- 7.3 If a complaint involving potential criminal activities is received by a Principal, he/she will be obliged to report it to the Local Area Command of the NSW Police.

The processes of any of the aforementioned outside authorities will take precedence over the processes contained in these Guidelines.

- 7.4 Schools are also compelled to comply with the relevant instructions contained in any court orders (e.g. Apprehended Violence Orders and Parenting Orders) that pertain to a student and/or a family within the school community.