

Rationale

Thomas Carr College is committed to a safe and supportive environment. This is characterised by fairness, mutual trust, respect and reconciliation. Those in leadership positions have a key role in promoting an environment and building a community based on these values.

Policy Guidelines

A safe and supportive environment exists when all members of the Thomas Carr College community promote open communication, tolerance and positive relationships and embrace responsive, just and transparent processes. When clear preventative policies and practices are applied consistently and issues that can give rise to complaints are identified early, matters can be resolved before they escalate to the point where relationships are damaged. All members of the school community are encouraged to recognise the distinction between personal and professional conflict so that positive, effective and appropriate relationships can be maintained, even where there might be professional disagreement.

Complaints and suggestions can be opportunities for growth and improvement. A community that is open to complaints and suggestions is characterised by signs of impartiality and confidentiality, respect for the dignity of those involved and is proactive in ensuring there is no fear of victimisation. The processes in the Handling Complaints Procedure are to ensure procedural fairness, a fair hearing and a reasonable decision.

A Handling Complaints Policy and Procedure:

- encourages early intervention in issues before they damage sound relationships
- ensures that behaviours destructive to positive relationships (such as bullying, harassment and discrimination) are identified as being unacceptable and are appropriately managed
- ensures that complaints are dealt with consistently
- enables the school community to identify patterns of unacceptable conduct and enables prevention strategies to be developed and implemented
- encourages individuals, with support, to resolve issues directly without third party intervention and reduces the likelihood that external agencies will need to be involved
- forms an important element in the College's commitment to ensuring safe and supportive environments for our school communities

Leadership teams are responsible for ensuring that the Handling Complaints Procedure is explained and that the processes for raising matters of concern and for responding to matters of concern are well understood and implemented.

Staff members who are members of the IEU are entitled to make contact with the Union at any time in order to seek clarification and advice in relation to complaints made against them and/or by them. They are also entitled to seek representation from IEU if they wish to do so, however, the College encourages staff to participate in and follow the procedure as outlined below.

Appendix 1:	Staff Process for Resolution of a Complaint
Appendix 2:	Process for Resolution of a Complaint Flowchart 1
Appendix 3:	Process for Resolution of a Complaint Involving the Catholic Education Melbourne (CEM) and/or External Agency Flowchart 2
Appendix 4:	Statement of Complaint
Appendix 5:	Protocol and Guidelines for Parents/Guardians Expressing Concerns about College Related Matters

Supporting Documentation: Anti-Bullying Guide for Principals & School Leaders 2015, Addressing Parents' Concerns and Complaints Effectively: policy and guides 2009 (DEECD), Safe and Sound Practice Guidelines 2014 (CECV)

Responsibility for implementation: Staff, students and parents/guardians

Policy status: Updated

Key Stakeholders: College staff and students

Endorsement Body: College Executive

Ratification Body: College Board

Policy Author: Core Wellbeing Team

Date of Approval: 2015

Date of Update: 2016

Date of Scheduled Review: 2018

The content of this policy can be changed at the College Board's discretion at any time without notification.



Complaints Handling Procedures

Section A: What to do if you Have a Complaint?

At Thomas Carr College we are committed to providing a safe and supportive environment. We acknowledge that staff, students and parents can sometimes feel aggrieved about something that is happening at the school which appears to be discriminatory, may constitute bullying, harassment or be a cause of concern.

Most complaints are best dealt with informally and directly between the persons concerned, however, there may be instances when this is not possible. Our procedure aims to ensure that:

- all complaints are heard and responded to
- complaints not deemed vexatious or malicious are investigated thoroughly, fairly and promptly
- wherever possible, a resolution will be found

As a general rule, complaints need to be handled as close to the source of the concern as possible. Regardless of with whom the complaint is lodged, the first action must be to refer the complainant to that point.

The Process: In summary

Approach the person involved

In many situations, the most appropriate thing to do is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is offensive/hurtful/not acceptable. If it is about a work decision, tell them why you think it is discriminatory or harassing or so unreasonable. Telling the person will give them a chance to stop or change what they are doing or explain what they had decided to do and why.

Contact the School

Where you feel you cannot approach the person directly or you are not happy with their response or reaction, then you can explain the problem to the Office of the Principal who will then direct you to the person designated to deal with the nature of the complaint. The designated person will advise you about your options (including arrangements for advocacy) and what will happen if you make a formal complaint.

Initial response

Following receipt of a formal complaint, the designated person will meet with the Complainant to discuss the complaint. This will involve canvassing options for resolution which may include informal resolution processes. In the event that the complaint is to be dealt with formally, the Complainant will be informed of:

- how the complaint will be investigated (eg interviews, viewing documents)
- the expected timeframe for any investigation
- who can be present at investigation interviews
- what support is available for persons involved in the process
- the interim measures, if any, that will be implemented to ensure the health, safety and welfare of any person pending the resolution of the complaint
- if the complaint raises issues which place the School under a legal obligation to report the matter to law enforcement agencies

Contact the Canonical Administrators

The Canonical Administrators of Thomas Carr College are the employers and legitimate authorities in all matters associated with the school. Before a complaint is referred beyond the school, the Canonical Administrators should be given the opportunity to assist with the resolution of the complaint.

Contact the Catholic Education Office

Where you feel your efforts to effect a resolution at the school level have been ineffective, you can contact the Catholic Education Office (CEO) and explain the problem and issues.

If the designated person in the CEO forms the view that your complaint is more appropriately dealt with at the school level, then you and the school will be advised. Complaints to the CEO will automatically be referred back to the school unless the complaint is against a decision of or about the Principal and has previously been raised with the Principal without resolution.

Section B: The Process

Informal Process (Records kept at the discretion of the persons concerned)

Approach the person involved

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint, how you feel. If the complaint is about their behaviour, tell them that it is a cause of concern to you. Telling the person will give them a chance to stop or change what they are doing.

Formal Process (Records are kept. See Section D of this document)

It is important that schools and the CEO have designated persons whose identities can be easily established, to receive and handle complaints. In normal circumstances, the CEO Designated Person would be the Secondary Educational Consultant (see section D of this document).

At School Level

Contact the school's designated person

If you don't feel that you can approach the individual directly, discuss the issue with the College's designated person. This person is to be the first point of contact for people with complaints. The designated person will advise you about your options and what will happen if you decide to make a formal complaint. The action will not proceed without your agreement.

Statement of Complaint

Before a complaint can be advanced, you need to complete a *Statement of Complaint*, using the form provided by the designated person.

The complaint will either be accepted or referred.

Once you have made the complaint to the designated person, he/she will decide whether to continue with the process. If there is a reason why it is inappropriate for the designated person to deal with the complaint, ie there may be a conflict of interest, it will be referred to another appropriate person with your consent.

Interviews

The complainant is interviewed by the designated person to:

- Clarify the complaint
- Inspect/verify supporting evidence
- Note absence of evidence
- Make a record

The person about whom the complaint is made is interviewed by the designated person to:

- Clarify the "other side"
- Interview witnesses (these interviews will be conducted separately and impartially by the designated person)

Feedback to the Complainant by the designated person:

- Reporting back what has been said by others
- Follow-up discussion
- Statement of desired outcome (This leads to an understanding of what the complainant believes he/she needs from the process. It will not dictate the remedy that might ultimately apply.)

At Canonical Administrator Level

If a complaint is not resolved satisfactorily at the school level, it needs to be referred to the Canonical Administrator. If still unresolved, it can be referred to the Catholic Education Office

At CEO Level (Secondary Educational Consultant (SEC) or CEO Designated Person)

In normal circumstances, the complaint is referred to the SEC. It is understood that the primary role of the Secondary Educational Consultants is to support and advise Principals.

The SEC will review the matter (including the Statement of Complaint) and form an opinion as to whether he/she is best placed to progress the matter. If it is decided that the SEC should not proceed to deal with the complaint (for example, there may be conflict of interest), the SEC will contact the CEO Designated Person who will arrange for another CEO person to oversee the process. Should the matter remain with the SEC, at any stage, the matter may be referred back to the CEO designated person if the process brings the consultant into conflict with his/her primary role of supporting and advising the Principal.

Interviews are conducted

The complainant is interviewed by the CEO designated person to:

- Clarify the complaint
- Inspect/verify supporting evidence
- Note absence of evidence
- Make a record

The person about whom the complaint is made is interviewed by the CEO designated person to:

- Notify the person that a complaint has been made and that it is being investigated
- Outline the nature of the complaint and seek a response
- Interview witnesses (These interviews will be conducted separately and impartially)
- Make a record of all proceedings
- The person being interviewed may choose to bring a support person/witness if they wish to do so.

Feedback to all parties

- Inform the parties of your findings
- Follow-up action if required

Section C: Review, Outcomes and Appeal

Review

If the complaint remains unresolved, it will be reviewed by a Catholic Education Office Regional Manager. He/she will make a final decision as to the outcome of the complaint.

Possible Outcomes

- If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:
 - an agreement between the parties
 - a verbal apology
 - a written apology
 - an undertaking that the behaviour will not be repeated
 - professional learning
 - disciplinary action, including dismissal
- If a complaint is not upheld or not substantiated (for example there is insufficient evidence) but some issues come out of the investigation that are required to be addressed possible outcomes include:
 - relevant training for employees
 - monitoring of the behaviour of employees
 - counselling for the aggrieved person
 - mediation at the local level
- If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the other named as the source of the grievance, the following are possible outcomes:
 - counselling for the person who made the complaint
 - a written apology from the person who made the complaint
 - an official warning
 - in the case of students and staff, referral for disciplinary action
 - a warning that vexatious or malicious complaints may result in legal action
- Assistance may also be offered to a complainant or other persons involved which may include:
 - counselling. The College is a member of Access. The contact phone number for this support is 1800 806 376.

Vexatious Claims

The School will not deal with complaints under this policy that:

- are made anonymously, without sufficient detail being provided so as to allow investigation or resolution of the matter
- do not have sufficient detail so as to allow investigation or resolution of the matter

Where a Complainant makes frivolous, vexatious or malicious claims against a Respondent, for example, where false or misleading information is provided, relevant information is withheld, facts are distorted or there is no demonstrated commitment to resolution, then depending on the circumstances, disciplinary action may be taken against a Complainant.

The relevant designated person will ensure that the outcome occurs. The school Principal or designated person (as appropriate) will also assess the effectiveness of the outcome from time to time.

Section D: Other Matters

Designated Persons for Complaints

At the School Level

The College will consider the local school context and organisation and will nominate the designated person/s responsible for dealing with complaints in specific areas of school activity. When this occurs it will be clearly communicated to staff, parents and students. A designated person will generally be a Head of School, Business Manager, Deputy Principal or Principal. If you are uncertain about who is the designated person for a specific issue, then contact the Office of the Principal for this information.

At Catholic Education Melbourne Level

The designated person at Catholic Education Melbourne for complaints that are not able to be dealt with or resolved at the school level will generally be the Secondary Education Consultant for Catholic Education. In the first instance, if it is determined that CEM involvement is warranted, the complaint is to be referred to the relevant Secondary Educational Consultant. In all instances, the Regional Manager is the final authority in any complaints resolution procedure. (In the event the Regional Manager is a party to the dispute, the final authority would rest with the Executive Director).

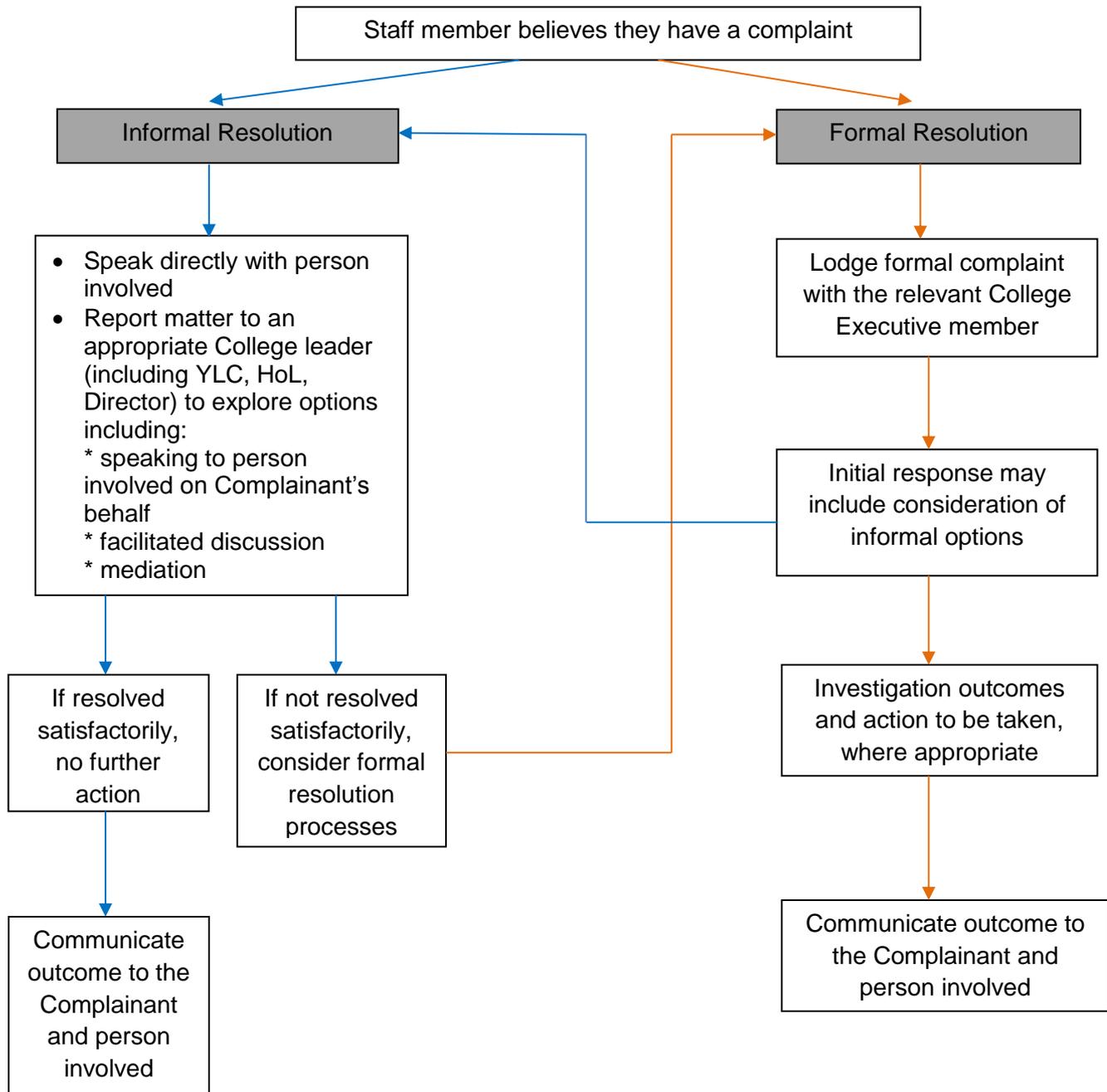
Record Keeping

Records of complaints, interviews and other documentation relating to a complaint at the school level are kept by the school in a separate complaints file. If the complaint is about a person, documents are placed in a restricted access file. If there are serious ongoing management or care issues relating to a complaint, there will need to be a cross reference to the restricted file on the staff member's or student's file.

School Board

It is not appropriate for matters of grievance involving parents, a child, a staff member and/or the Principal to be raised or discussed at a School Board meeting. It is beyond the jurisdiction of the Board to arbitrate on such matters.

Appendix 1: Staff Process for Resolution of a Complaint

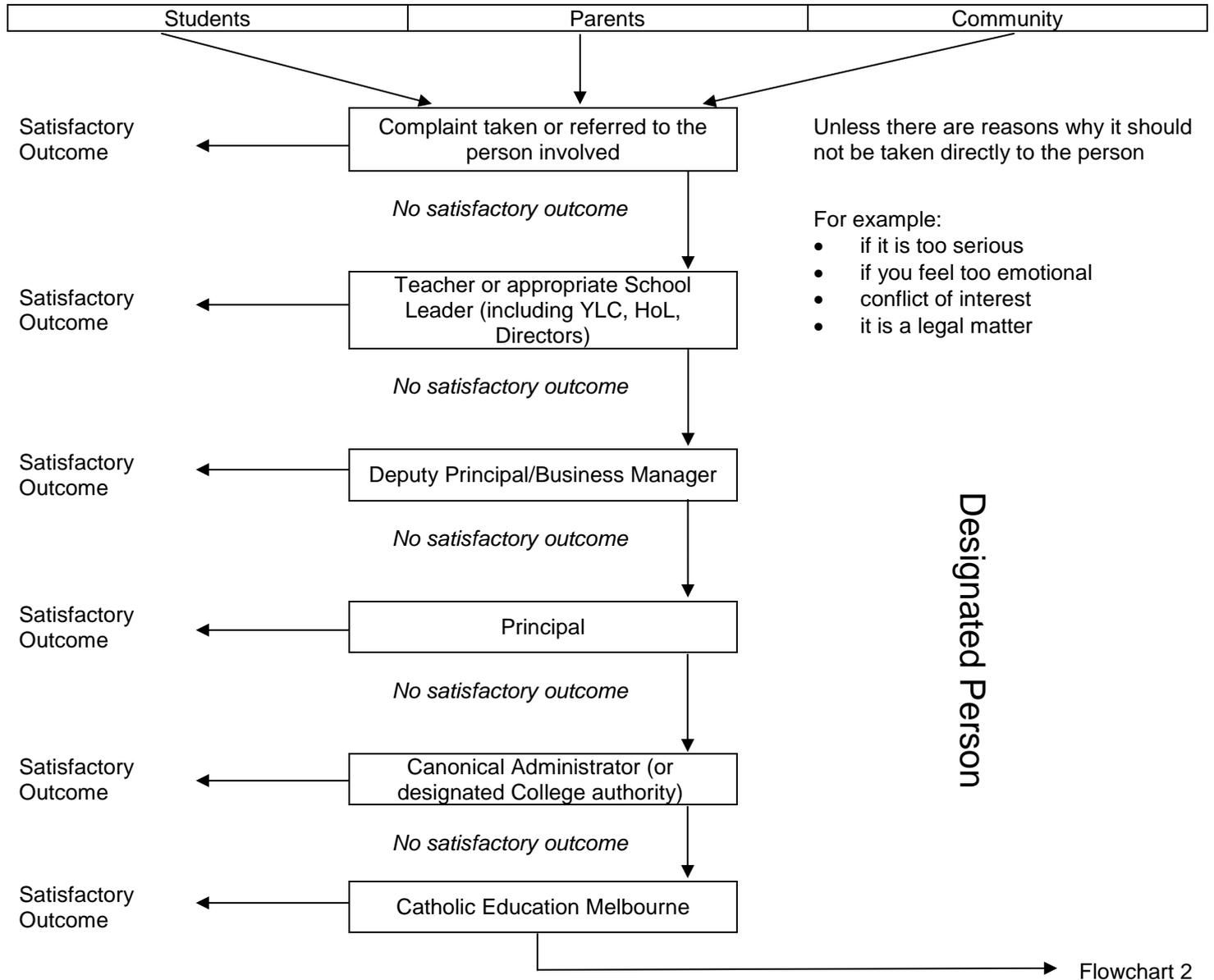


Note: If at this stage a matter raised is sufficiently serious such that a formal investigation is warranted, then the College reserves its right to take appropriate action in the circumstances, including referring the matter to formal internal investigation.

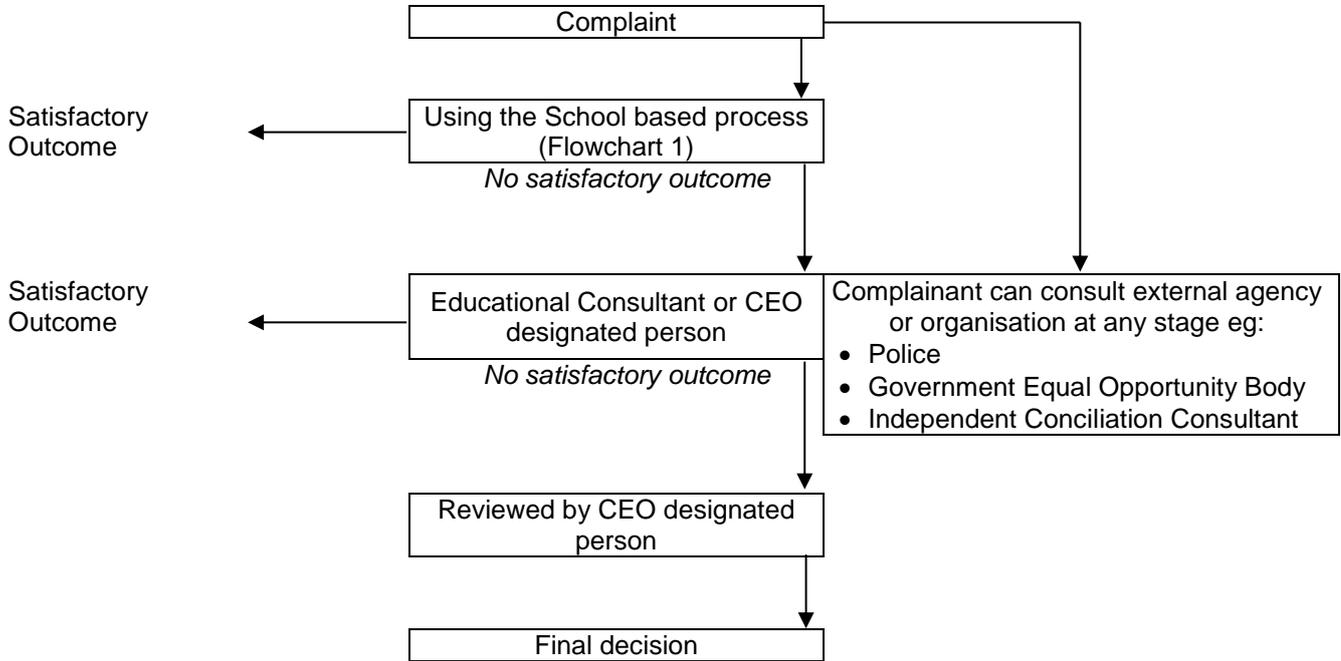
The contact phone number for ACCESS Programs is 1800 806 376 or email www.accessprograms.com.au

Appendix 2: Process for Resolution of a Complaint

Flowchart 1



Appendix 3: Process for Resolution of a Complaint Involving the Catholic Education Melbourne (CEM) and/or External Agency Flowchart 2





Appendix 4: Statement of Complaint

In accordance with the guiding principles of the Thomas Carr College Handling Complaints Policy, complainants are bound by confidentiality in relation to this matter and agree to adhere to the process and maintain confidentiality until the matter is closed.

Section 1: Your details

Name: _____

Address: _____

Contact numbers:

Home: _____ Work: _____ Mobile _____

Section 2: Member of community

Are you (please tick)?

A student A parent/caregiver (If yes, name of student) _____

A staff member Other (please specify) _____

Section 3: Discussion

Have you discussed the matter with a designated person Yes No

If yes, when? _____ Who dealt with the matter? _____

Was the designated person from (please tick)

the College a Canonical Administrator a CEO Consultant/Regional Manager

What was the result?

Section 4: Details of Complaint

Please give details of the complaint:

Section 5: Outcome

Please describe the outcome you are seeking:

Privacy Note

The information provided on this form will be used by the College to follow up your complaint. The information may be provided by the College to the Catholic Education Office who monitor the services provided by the College or to the police for law enforcement purposes. The provision of this information is voluntary. It will be stored securely. You may correct any personal information provided at any time by contacting the Office of the Principal.

Appendix 5: Protocol and Guidelines for Parents/Guardians in Expressing Concerns about College Related Matters

Updated: June 2015

Thomas Carr College works in an educational partnership with parents for the benefit of all students. On entering into this partnership, families assume a number of important responsibilities which include loyalty to the College community, a commitment to the College Vision and Mission Statement and support of all College policies and expectations.

It is acknowledged that there may be occasions when parents wish to express concerns or make complaints regarding College matters. Parents are always encouraged to communicate with the relevant College personnel to discuss their concerns.

The College is always available to assist parents through discussion in developing a clearer understanding of College expectations in all areas. The College will terminate any interaction with parents where parent behaviour is deemed unacceptable.

Parents are required to express their concerns in a calm and respectful manner towards all staff who may be involved. On presenting the concern, the family must be able to be identified. Any anonymous concerns or complaints can not be satisfactorily investigated as the College would be unable to confirm them as genuine.

The College reserves the right not to respond to messages which contain abuse, inflammatory statements or material clearly intended to intimidate.

In having specific concerns, and complaints addressed, we recommend that initial contact be made with the relevant College personnel in the order below.

Curriculum matters	Subject teacher Head of Learning Head of Learning & Teaching: Middle/Senior School Senior Director
Student academic progress	Subject teacher Head of Learning & Teaching: Middle/Senior School Senior Director
Student wellbeing matters	Homeroom Teacher Year Level Co-ordinator Head of School Deputy Principal
ACS transport matters	Assistant to Head of Sport Head of Sport
Good Samaritan Campus transport matters	Manager: Good Samaritan Campus Year Level Co-ordinator Head of Middle School
Uniform	Homeroom Teacher Year Level Co-ordinator Head of School
Financial	Debt Management Officer Business Manager
Enrolments	Registrar Business Manager
Booklists, eBooks, College digital device repairs VET/VCAL	Information Centre Manager VET/VCAL Co-ordinator

In all cases where the matter can not be satisfactorily resolved following the above table, parents are encouraged to contact the Deputy Principal/Principal.