



Emmanuel Catholic College

Policy Document: **Complaints**
Reviewed: 2020

CECWA Reference: Dispute and Complaint Resolution
SCSA Reference:
CEWA Originally Released: 2002

Rationale

Emmanuel Catholic College aims to serve as a model for all within Western Australia who seek to create genuine communities. Such communities are always founded upon shared commitment to the common good (Mandate, 6). On occasions there may be a disagreement with a decision and a dispute or complaint may arise within the College. The interactions between all members of the Emanuel Catholic College community, emphasise the dignity of everyone.

As a College, we are committed to ensuring that disputes and complaints are dealt with fairly, objectively and in a timely manner, and that processes reflect the principles of participation, co-responsibility and subsidiarity.

Definitions

Complaint is an expression of dissatisfaction made to the College, related to our services or operations, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

Dispute means a conflict regarding a right, claim, or demand on one side, met by contrary claims or allegations on the other.

Procedural Fairness means that a matter has been resolved to the satisfaction of Catholic Education in Western Australia with respect to the paramount importance of the student(s).

Students are defined as children and young people enrolled in schools and early learning and care services.

Principles

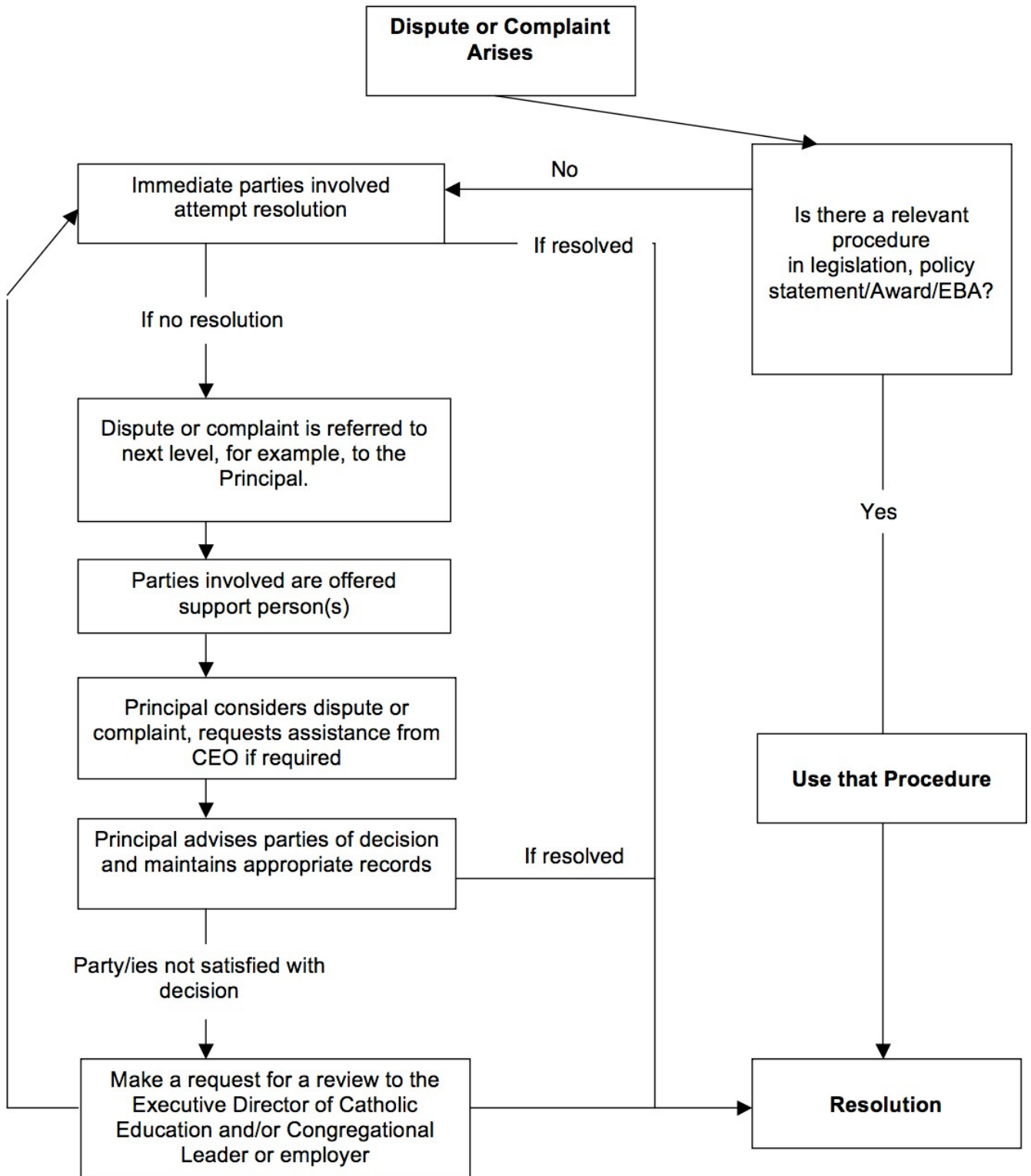
1. A non-judgemental and non-adversarial, restorative approach will apply to resolving complaints and grievances.
2. All decisions are to reflect the paramount importance of the student(s).
3. Any person may complain orally or in writing about any matter arising from the operations of the College.
4. Complainants are personally responsible and liable for the content of their complaints.
5. It is preferable that the complainant is verifiable, however if a complaint or any other information of unknown origin (i.e. anonymous) provides information that would cause the Principal concern, it should be considered by the Principal so that they can determine the appropriate course of action.
6. Information in a complaint should only be disclosed to those parties who have a need to know in order to investigate and resolve the complaint. All parties should maintain confidentiality.
7. Once a decision has been made, parties may request a review of the decision in accordance with Procedures, including escalating the dispute or complaint to the Executive Director of Catholic Education in Western Australia.

Procedure

1. Information about the process for dealing with disputes and complaints shall be made available to parents, students and staff. This may be via a range of media; it will be available on the school website.
2. A dispute or complaint can be made by any person regarding the provision of education or related matter. Depending on the nature and level of the complaint, it should be made in writing. Where an

- immediate party cannot be identified, such as if it is anonymous or from an unverifiable source, the information shall be assessed and duly considered.
3. Where there is an appropriate Catholic Education Commission of Western Australia (CECWA) policy statement that provides a specific mechanism for addressing the dispute or complaint, that policy statement shall be followed.
 4. Where there is a binding legislative or regulatory mechanism (including an Enterprise Bargaining Agreement) that addresses the issue raised in the dispute or complaint, that legislative or regulatory mechanism shall be followed.
 5. When a dispute or complaint arises, the immediate parties involved should attempt to resolve the issue in the first instance.
 6. Parties may involve a support person(s) to assist them in resolving the dispute or complaint.
 7. Should a complainant be dissatisfied with the resolution as a result of involvement of the immediate parties, or if there are unique circumstances, the matter can be referred to the next level by the complainant, for example, to the College Principal.
 8. The Principal is responsible for the resolution of disputes or complaints within the school referred to them by the immediate parties, in accordance with procedural fairness.
 9. Where a dispute or complaint is about the Principal and there is no likelihood that it can be resolved directly with the Principal, the immediate parties may refer the dispute or complaint to the Executive Director of Catholic Education.
 10. A Principal shall be mindful of managing the wider effects that a dispute or complaint may have on the workplace beyond its resolution.
 11. The Principal may request external assistance and expertise (including mediation), including the involvement of the CEWA Employment and Community Relations Team to assist in the resolution of a dispute or complaint.
 12. The Principal shall inform the complainant (unless anonymous) and relevant parties of the outcome of their decision.
 13. The Principal shall maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable this will include any statements made by the parties involved.
 14. Any party may request a review of the Principal's decision, in writing, to the Executive Director of Catholic Education.
 15. The dispute or complaint shall be promptly acknowledged in writing, unless the complainant is anonymous and cannot be identified.
 16. The Executive Director of Catholic Education shall ensure a formal examination and investigation of the complaint and/or areas of disputation.
 17. The parties to the dispute or complaint shall be notified of the finding(s) of the dispute or complaint, including the basis of the finding(s). There is no duty to notify an anonymous complainant.
 18. The CEWA shall maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable these will include any statements made by the parties involved.
 19. An individual has the right to make an appeal to the Minister for Education with regard to a dispute or complaint (School Education Act 1999). An appeal will only be heard on a breach in process and will not be a re-examination of the merits of the case.
 20. A person may make a complaint to an external body or tribunal at any time. The relevant person (ie. the Principal) may choose to suspend addressing the complaint until the external body or tribunal rules on the complaint, or the external complaint is directed back to Catholic Education for resolution.

Flowchart for Dealing with Disputes and Complaints



Appendix A – Complaints Handling Guidelines

Complaints Handling Guide

Emmanuel Catholic College “the College” welcomes feedback from all members of its community and takes all complaints or concerns that may be raised seriously. This Complaints Handling Guideline is designed to assist you to understand our complaints handling process.

What is a Complaint?

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

A complaint may be made either informally or formally to the College.

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

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:

1. Sending an email to complaints@emmanuel.wa.edu.au
2. Sending an email or writing a letter to the College addressed to the Vice Principal or Principal.

Internal Complaints Handling Process

Step 1 – All formal complaints are logged through our online complaints management system where they are screened by the Vice Principal. A complaint directly related to the conduct of the Vice Principal, a Deputy Principal or a Member of the School Board should be directed to the Principal. A complaint directly related to the conduct of the Principal should be directed to the Executive Director of CEWA.

Step 2 – All valid complaints will be acknowledged in writing as soon as practicable, and in any event within 10 business days. They will be allocated a status, priority and target resolution date.

Step 3 – The Vice Principal will conduct an investigation into the issues raised, following principles of procedural fairness, and make a determination.

Step 4 – Following the determination, if appropriate, the Vice Principal will 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 matter will be reviewed internally by the Principal, who may seek additional information or submissions from the relevant parties. The Principal will seek to resolve all disputes within 20 business days of the acknowledgement of the complaint. The matter will be closed if the response of the Principal is accepted. Where appropriate, the matter may be escalated to the Executive Director of CEWA.

Step 6 – All formal 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.

Step 7 – If the matter remains unresolved, the complainant may pursue external resolution alternatives.

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. The College is committed to maintaining the confidentiality of information throughout the complaints process.

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.

Role of Director General

The Director General of the Department of Education is responsible for ensuring that schools observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school’s decision.

References

Nil

Related Documents

CECWA Dispute and Complaint Resolution

Review History

Year of Review	Reviewed by	Amendments / Review
2002		Originally Released

Next Review

Year	Responsible
2021	Vice Principal