

PARENTS COMPLAINTS & CONCERNS POLICY



St Joseph's Primary School



Catholic Education Office and Parish Schools Diocese of Lismore

Parent and Caregiver Complaints and Concerns

Policy & Procedures

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Related Documentation:

Catholic Education in the Diocese of Lismore Foundational Beliefs and Practices

– The Essential Framework, 2007

Reporting Neglect and Child Abuse, NSW Commission for Children and Young People, 2002

Commission for Children and Young People Amendment Act, 2005

Keeping them Safe Implementation Guidelines

Parish School and Parent Partnership Policy Draft 2009 (CEO policy)

Student Records Policy 2009 (CEO policy)

DDA and Disability Standards in Education

STATEMENT OF POLICY

This policy is required to be implemented in all parish schools.

This policy embodies and guides the living out of Catholic Education in the Diocese of Lismore: Foundational Beliefs and Practices - The Essential Framework in parish school communities. The policy is centred on the belief that Jesus Christ is at the heart of every Catholic school. In living out His way of life as expressed in the Apostle's Creed the policy directs how to follow His core teaching regarding relationships and reconciliation through commitment to the Foundational Practices: Evangelisation, Worship, Witness, Community and Service,

In a spirit of partnership between home and school there must be a commitment to respond positively to critical feedback to ensure that people have the opportunity to contribute to the continued improvement of parish schools. It is expected that all staff will ensure that a culture of consultation and open dialogue is nurtured at every level.

Complaints and concerns need to be addressed as far as possible at the local level, responsively, openly and in a timely manner.

1. Scope

This policy describes the process for effectively managing complaints and concerns raised by a parent or caregiver within an individual parish school.

2. Definitions

Complaint: a matter causing grievance or leading to a formal accusation including formalising an unresolved concern.

Concern: a matter that evokes a feeling of anxiety or worry.

Procedural fairness: Procedural fairness refers to a process that provides fairness to all parties. It includes the right to be heard, the right to be treated without bias, the right to be informed of allegations being made and to be provided with an opportunity to respond to them and the right to information regarding the status of the complaint,

Vexatious: An allegation made without substance and with the intent of being malicious or to cause distress to the person against whom the allegation was made.

Baseless: Without a basis in reason or fact,

Vindictive: Showing malicious ill will and a desire to hurt; motivated by spite; disposed to revenge; prompted or characterised by revenge,

3. Policy

3.1 Introduction

3.1.1 Parish schools in the Diocese of Lismore seek to:

- develop a positive and collaborative relationship between home and school
- welcome and value diversity of opinion
- ensure staff are aware of community expectations and the needs of students and families
- develop clear and open communication within the community

ensure the wellbeing of the student is the central focus of all processes.

- 3.1.2 it is acknowledged that parents/caregivers can feel concerned about an incident or something that they believe is happening in their child's school. The satisfactory resolution of any complaint or concern is vital to the Christian life and the wellbeing of the community.
- 3.1.3 It is recognised that parents and caregivers must have access to processes that allow them to resolve complaints and concerns in a supportive, conciliatory environment. This policy has been developed to assist in the resolution of complaints and concerns.

3.2 The Focus of the Policy

- 3.2.1 This policy applies to the complaints and concerns of parents and caregivers around all issues associated with parish school life,

3.2.2 Exclusions

Certain matters concerning child protection or other areas covered by specific legislation must be referred immediately to the relevant external agency.

School actions in certain matters related to secondary school curriculum may be governed by Board of Studies regulations.

Students, parents or caregivers may appeal to the Board of Studies for decisions that affect the School Certificate, High School Certificate or withheld school credentials.

Complaints by members of the broader community are not covered by this policy.

3.3 The Rights and Responsibilities of Parents/Caregivers

- 3.3.1 Any parent or caregiver has the right to raise a complaint or concern and have it responded to promptly and without fear of repercussions according to principles of procedural fairness. Many issues will be able to be resolved informally.
- 3.3.2 Any complaint or concern should address the individual situation and not be presented in a group action to the school.
- 3.3.3 Any parent or caregiver has the right to confidentiality in regard to a complaint or concern that is raised at the school. However, where others need to be informed, this will be explained to the parent or caregiver raising the matter,
- 3.3.4 Any parent or caregiver has a responsibility to maintain confidentiality in the best interests of all involved.
- 3.3.5 Any parent or caregiver has a responsibility to promptly raise complaints or concerns so that these do not become overwhelming for either the child or the family.
- 3.3.6 Formal complaints need to be put in writing to be acted upon.

3.4 The Rights and Responsibilities of Principals

- 3.4.1 The principal has a responsibility to publicise and Implement this policy.
- 3.4.2 The principal has a responsibility to manage complaints and concerns effectively and to respond to parent or caregiver issues in a timely manner.
- 3.4.3 Respecting the wishes of the parish priest regarding consultation, the principal has a responsibility to bring to the attention of the parish priest matters of serious complaint.
- 3.4.4 The principal has a responsibility to maintain confidentiality.
- 3.4.5 The principal has a responsibility to ensure all notes, records (written and electronic), agendas, and diary entries in relation to the complaint or concern are kept secure, centrally and accurately in accordance with the Diocesan Records Policy.

3.5 The Role of the Parish Priest

- 3.5.1 The parish priest is the pastoral leader of the parish community of which the school is a part. The quality of the relationship between the parish school principal, the parents and students and the parish priest is integral to the effective functioning of the parish school.
- 3.5.2 The parish priest will discuss with the parish school principal the level of consultation expected in the management of complaints and concerns within the parish school.
- 3.5.3 In assisting the principal with matters of school management the parish priest will bring to the attention of the principal all written complaints raised by parents or caregivers.

3.6 General Principles

- 3.6.1 Confidentiality will be respected and maintained by all parties.
- 3.6.2 Complaints and concerns will be resolved according to the principles of procedural fairness.
- 3.6.3 Every endeavour will be made to address all complaints and concerns within reasonable timeframes and under mutual agreement. However, principals and school staff may not always be available to address the issue at the time it is raised, but will do so at the earliest mutually acceptable time,
- 3.6.4 Persons who phone the Catholic Education Office to raise a complaint or concern about a school issue will be informed by an Assistant Director or Consultant that the matter must be put in writing if they wish it to be progressed.

3.7 The Process

- 3.7.1 The process will vary depending on the nature of the issue. In this policy complaints are regarded as more serious than concerns and will therefore be managed differently.
- 3.7.2 For both complaints and concerns the issue is generally best dealt with in the first instance by the person who is the subject of the concern or who is responsible for the particular matter. This may not always be possible and the parents or caregivers may not feel able to talk to the person about whom they have a concern. In these situations the complainant must decide the most appropriate person to address the complaint. In general:
where the complaints or concern involves a staff member of the school, the matter should be taken directly to the principal
where the complaint or concern involves the principal, the Catholic Education Office can be contacted
any parent complaint forwarded to the Catholic Education Office that has not been raised with the school will be directed back to the school for the school's attention and the principal notified of the contact [excluding any complaint about the principal].

3.8 Managing Formal Complaints

- 3.8.1 A formal complaint is defined as a complaint that is in writing, signed and directed to the principal.
- 3.8.2 A meeting will be arranged at the earliest possible opportunity by the principal. The principal will determine the attendance for part or the whole of the meeting of any additional and relevant staff. The complainant will be aware of the attendees prior to the meeting.
- 3.8.3 The meeting will be conducted formally, following an agenda organised by the principal. Where possible the principal will ensure a record will be taken. Participants will receive a copy of the record following the meeting. Participants will have the right to note any disagreement with the record. This will be attached to the record of meeting. The meeting will seek a resolution of the complaint.
- 3.8.4 A person raising a formal complaint may have an appropriate support person present during meetings or interviews. The support person would normally act as an observer but may take a more active role with the mutual agreement of all parties. Support persons must abide by all principles set out in this policy. 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.
- 3.8.5 By mutual agreement it may be decided that further meetings are required.
- 3.8.6 The meeting will be terminated if any person present becomes abusive, uses profane or threatening language or attempts to physically intimidate others present. The meeting record will be reflective of this outcome.

Should this occur an officer of the Catholic Education Office will be notified,

- 3.8.7 Access to relevant records may be given to parties directly involved in the process or to others by mutual consent whilst adhering to the diocesan Student Records Policy.
- 3.8.8 The outcome of a complaint resolution meeting will be communicated to the parent or caregiver in writing, There may be an agreement to review its effectiveness within an agreed timeframe.
- 3.8.9 Complainants not satisfied with the outcome can refer the matter to the Catholic Education Office by writing to the Director of Catholic Schools. Depending on the nature of the complaint a Consultant or Assistant Director will be delegated to attend to the issue. All parties will receive formal notice from the Director or delegate on the steps to be taken to address the matter.
- 3.8.10 The representative of the Catholic Education Office will liaise with the principal and the complainant seeking a resolution. Advice may be offered to all parties to reconvene or a further meeting may be convened involving a representative of the Catholic Education Office in the process.
- 3.8.11 Following this intervention the complainant will receive written advice from the Catholic Education Office representative. The principal will receive a copy of this advice.
- 3.8.12 If this outcome remains unacceptable and the complainant believes the issue is unresolved further redress can be sought with the Director of Catholic Schools. The Director may appoint an independent person to undertake a review of the process followed and the conclusions reached.
- 3.8.13 Anonymous complaints or allegations will not be accepted except in the case of:
allegations of child abuse
allegations of misconduct of a sexual nature by a staff member against student
alleged breaches of legislation, including the Crimes Act
- 3.8.14 The principal has delegated authority to manage 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 Catholic Education Office. In all other matters, every attempt will be made to resolve the matter at the school level.
- 3.8.15 Where the complaint involves the principal it may be directed, if the complainant believes it necessary, to the Director of Catholic Schools, Catholic Education Office. In this case the principal will be informed of the complaint by the Director and the process to be followed. The principal will receive a copy of the written complaint, The parish priest will also be notified.

3.9 Managing Concerns

- 3.9.1 Any parent or caregiver has a responsibility to promptly raise the concern with the person best placed to deal with the concern so that these do not become overwhelming for either the child or the family,
- 3.9.2 Where the parent or caregiver concern is not satisfactorily resolved directly with the school staff member involved, the matter should be taken up with other appropriate school staff in suitable positions of responsibility. In secondary schools this may be the year or KLA coordinator or the Assistant Principal or Principal. In primary schools this may be the Assistant Principal or Principal.
- 3.9.3 If the matter cannot be resolved within the school, the principal should seek advice from the relevant Education Consultant on the appropriate course of action.

3.10 Time Frames

Unless another timeframe is mutually agreed upon, or where outside authorities are involved, a parent/caregiver can expect:
an acknowledgement of his/her concern within five (5) working days of lodgment at any of the steps above
an initial attempt to address and resolve the matter within seven (7) working days of lodgment at each step in the process,

3.11 Concerns and Complaints of a Child Protection or Legal Nature

- 3.11.1 Legally required processes for the management of complaints that fall within the definitions of child protection legislation are administered by the Catholic Education Office which is accountable to the NSW Ombudsman's Office and/or NSW Department of Community Services,
- 3.11.2 Where a teacher or principal receives a complaint of this nature, he/she is required to inform the Human Resources Consultant at the Catholic Education Office. An investigation process will be undertaken that adheres to all of the general principles contained in this policy.
- 3.11.3 If a complaint involving potential criminal activities is received by a principal, he/she will be obliged to report it to the appropriate NSW Police contact person. Similar notification should be made immediately to the parish priest and the Catholic Education Office,
- 3.11.4 The processes of any of the aforementioned outside authorities will take precedence over the processes contained in this policy.
- 3.11.5 Schools are also compelled to comply with the relevant instructions contained in any court orders (eg Apprehended Violence Orders and Parenting Orders) that pertain to a student and/or a family within the school community.

3.12 Baseless, Vindictive and Vexatious Complaints

- 3.12.1 At some point in the process of managing a complaint it may be determined that the complaint is baseless. This determination will be fully explained to the complainant. The complainant may seek to further redress through the Catholic Education Office.

Further redress must be in writing, fully explaining the reasons for further consideration.

- 3.122 Where a complaint is considered to be vindictive or vexatious the matter should immediately be referred to the Catholic Education Office for consideration. The Catholic Education Office may seek external advice in bringing the matter to conclusion. Any decision or outcome in bringing the matter to a close will be put in writing to the complainant.
- 3.12.3 Any outcome or decision In relation to baseless, vindictive or vexatious complaints made by the Catholic Education Office is final and no further redress will be available through this process.