

# **Complaint Response and Resolution**

## **Procedure**



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## 1 Purpose

This procedure explains the measures available to respond and resolve complaints/grievances from staff, students, their families and the public.

## 2 Scope of Procedure

This procedure relates to complaints about decisions and actions undertaken in the provision of education and care services by Catholic schools and Catholic Education Offices (CEO).

The procedure does not apply to matters that are subject to external determination such as through any court, tribunal, commission or statutory authority or to matters that are the subject of civil litigation.

It should be noted that neither the Minister for Education nor the Department for Education has any power to directly intervene in any complaints relating to the operations of a non-government school.

## 3 Definitions

**Complaint** refers to an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue at a Catholic school or the Catholic Education Offices.

## 4 Procedure

### General complaints or concerns

4.1 To lodge a complaint, complainants should:

- Contact the relevant person (e.g. teacher, school leader, school Board Chair or Governing Authority) and outline (either in writing or verbally) their concerns.
  - Clarify the issue – be clear about the matters complained about.
  - Include all the relevant facts relating to the circumstances of complaint.
  - Think about what would be an acceptable outcome.
- Be prepared to speak further with the person subject to the complaint to discuss the complaint in more detail, as required.
- Allow the relevant person(s) sufficient time to take the steps required to resolve or address the concerns.
- If the issue is not resolved at the local level, then complainants can make contact with the Catholic Education Office via the CESA website or email to 'intake@cesa.catholic.edu.au'.

### Actions taken following receipt of a complaint

4.2 Complaints or concerns related to child abuse being lodged by an adult (current or historic):

- In lodging a complaint about child abuse, the response and actions will differ according to whether the complaint concerns a current child victim or the person making the complaint is an adult bringing forward abuse suffered as a child (an historic matter).
- In almost all circumstances when the person making the complaint is an adult bringing forward abuse suffered as a child, he or she will be referred to the agency set up specifically to address these matters ie the Professional Standards Office of the Catholic Church (telephone (08) 8210 8275,

39 Wakefield Street, Adelaide). The CESA intake officer or relevant case manager will assist in providing contact details.

- Where the complaint concerns the abuse of a child currently at school, the actions outlined in 4.3 below, will also take into account the [CESA Reporting Harm of Children and Young People Procedure](#). Such matters may also trigger further responses according to a range of other policies and procedures including CESA [Managing Allegations of Misconduct Guidelines](#) and/or Managing Allegations of [Managing Allegations of Sexual Misconduct in SA Education and Care Settings](#).
- Where the complaint involves a serious abuse issue, a dedicated CESA case manager will be appointed, and in the case of current child victim, an initial risk assessment will be made concerning the alleged perpetrator, if the matter involves a CESA employee.

#### 4.3 Complaints or concerns related to child abuse being lodged by a child or young person:

- Likely recipients of a complaint from a child about abuse, will be school staff.
- School staff (or any other persons) will need to be cognisant of how best to respond to disclosures about abuse through familiarity with measures to make the child feel supported and safe. Staff should always defer to line managers if confronted with situations in which they have little experience.
- Guidance for best approaches about how to respond to a child who is making disclosures, can be found through resources on the [Department for Child Protection website](#) and is part of compulsory RAN-EC training and refresher courses.
- This guidance includes information about taking what the child says seriously, using the child's own vocabulary and reassuring the child they have done the right thing in telling you. It is important to explain to the child that you need to tell someone who can help them, if you are not in a position to do so.
- School staff, or other persons, must always report instances of harm, or risk of harm to those in authority, as well as fulfill any mandatory notification requirements.

#### 4.4 Following receipt of a complaint, the person responding to the complaint will endeavour to:

- acknowledge the complaint in a timely manner and make the complainant aware of the complaints response process;
- assess the complaint to determine the most appropriate course of action in responding to it;
- follow-up with the complainant for more information and to further discuss the issues and preferred outcome, as necessary;
- as applicable, inform the relevant senior leader of the receipt of the complaint and provide them with the details and further assist as required;
- advise the complainant if any delays occur in the timeline;
- inform the complainant when an outcome has occurred; and
- maintain adequate written records of the complaint and outcome, along with any supporting documentation, as applicable.

- 4.5 Following receipt of a complaint via email, the Catholic Education Office will:
- acknowledge the complaint via automated email reply;
  - forward the complaint to the appropriate senior officer.

### Unresolved complaints

- 4.6 If the issue remains unresolved after discussion with the relevant person(s), a complainant may discuss the concern with a senior leader (i.e. relevant School Performance Leader, Deputy/Assistant Director, Principal or Deputy Principal).

**Note:** the senior leader may ask another suitable staff member to either represent her/him at the meeting; or attend the meeting with him/her.

### Complaint escalation

- 4.7 If the matter cannot be resolved at the local level, or if the complaint is about the Principal of a school, complainants may contact the Director or Deputy Director, Catholic Education, Archdiocese of Adelaide or the Director, Catholic Education, Diocese of Port Pirie as appropriate.

### Anonymous complaints

- 4.8 Anonymous complaints will be responded to, as appropriate. In some situations, complaints may not be able to be fully addressed if they are made anonymously or without sufficient detail being provided to enable an investigation or resolution of the matter. Where an anonymous complaint is deemed serious enough to warrant further investigation, to ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them.

### Specific complaints

For complaints pertaining to some specific matters (see below), separate procedures are available as follows:

- 4.9 Discrimination, Bullying & Harassment

For complaints relating to discrimination, bullying and harassment by a staff member, the Responding to Discrimination, Bullying & Harassment in the Workplace Procedure applies.

- 4.10 Misconduct or serious misconduct by staff

For complaints relating to alleged misconduct or serious misconduct (not involving child abuse or neglect) by a staff member, the Managing Allegations of Misconduct Guidelines apply.

- 4.11 Complaints about a Principal or a decision taken by a Principal

For complaints about a Principal by a parent/guardian, caregiver, student, visitor, volunteer or contractor, the Grievance Response and Resolution document on the CESA website explains the process.

For complaints by a staff member about a Principal, or a decision they have made, relating to a matter arising under the South Australian Catholic Schools Enterprise Agreement (EA), the National Employment Standards or an industrial matter affecting or relating to employment rights, privileges or duties, Clause 10 (Dispute Resolution) of the EA applies.

## External Agencies

4.12 At any time it is open to a complainant to seek advice from and/or to lodge a complaint with any of the following:

- [Equal Opportunity Commission](#)
- [Department for Child Protection](#) - Child Abuse Report Line (CARL) 131 478
- [Fair Work Commission](#)
- [Human Rights Commission](#)
- [Independent Education Union of Australia \[IEU\]](#)
- [Professional Standards Office](#)

Note: If a formal complaint is lodged with an external agency, any internal process underway may be placed on hold, pending the outcome of the external process.

## 5 Responsibility for implementation, monitoring, and continual improvement

Responsibility for implementation, monitoring and review of the policy is vested at the level appropriate to the following roles:

Governing entity/authority	Schools
Directors	Principals
School Consultants/Schools Performance Leaders	School Boards/Governing Councils

## 6 Related documents

This procedure is to be read in conjunction with, and is additional to, any other relevant South Australian Commission for Catholic Schools (SACCS) policy, procedure, guideline or support document, including the following:

- [South Australian Catholic Schools Enterprise Agreement 2017](#) (or its successor documents)
- [Responding to Discrimination, Bullying and Harassment in the Workplace Procedure](#)
- [Reporting Harm of Children and Young People Procedure](#)
- [Managing Allegations of Misconduct Guidelines](#)
- [Managing Allegations of Sexual Misconduct in SA Education and Care Settings](#)
- [Grievance Response and Resolution](#)
- [SACCS Privacy Policy](#)
- [Code of Conduct for Staff Employed in Catholic Schools](#)
- [Whistleblower Policy](#)

## 7 Revision Record

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