

# **Guidelines for Resolving Concerns and Complaints at our School**

## **November 2008**

### **INTRODUCTION**

Sydney Archdiocesan Catholic Schools are committed to living the gospel values 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 Parent/ Caregivers can sometimes feel concerned about something that they believe is happening in their child's school. The resolution of these concerns in every school community is vital to the well being and success of that community.

It is recognized that parents and caregivers must have access to processes that allow them to resolve concerns in a supportive, conciliatory environment and for this reason the following model has been developed.

This document is intended to be read in conjunction with the "*Pathway for Resolving Concerns and Complaints at School*" within the "*Resolving Concerns and Complaints at School Information for Parents and Caregivers*" brochure

### **THE SCOPE OF THE GUIDELINES**

These Guidelines apply to the concerns of parents and care-givers about:

- 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.*

## THE RIGHTS AND RESPONSIBILITIES OF PARENTS/ CAREGIVERS

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 will be able to be resolved informally.

Any parent/ caregiver has the right to confidentiality in regard to a concern that is raised at the school. However, if others need to be informed, this will be explained to the parent /caregiver raising the concern.

Parents/caregivers have a responsibility to raise their concerns at the earliest possible time so that they do not become overwhelming for either the child or the family. The greatest success in resolving concerns is when they are addressed as soon as they arise.

Parents/ caregivers have a responsibility to maintain confidentiality in the best interests of their child and to ensure a just outcome for any other person who may be involved.

## GENERAL PRINCIPLES

- Confidentiality will be respected and maintained by all parties.
- Concerns will be resolved according to the principles of procedural fairness as follows.
  - The person considering the concern will act impartially
  - Anyone involved in the matter has the right to be heard fully
  - All **relevant** information will be taken into account
  - Where a conflict of interest arises or is perceived to arise, an independent person may be involved with the consent of all parties.
- 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.
- 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.
- Accurate and appropriate notes will be kept with due regard to the confidentiality of the concerned parties. 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.

- 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.
- Anonymous complaints or allegations must be accepted and forwarded for investigation in the case of:
  - Allegations of child abuse
  - Allegations of misconduct of a sexual nature by a staff member against a student
  - Alleged breaches of legislation, including the Crimes Act,
  - Other alleged behaviour which could lead to disciplinary action if substantiated.
- 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.
- While it is understood that all concerns about a child's education and well-being naturally cause anxiety for parents/ caregivers, it is expected that complaints will 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.
- 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.

## THE PROCESS

To aid school communities in knowing how to handle a concern or complaint, a step-through visual model "*A Pathway for Resolving Concerns and Complaints at School*" has been developed for use in all Sydney Archdiocesan 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.
- Where the concern involves the conduct of a staff member of the school, the matter should be taken directly to the Principal.
  - Where the concern involves the conduct of the Principal the Regional 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 Subject or Year Co-ordinator (Secondary Schools) or the Assistant Principal (Primary Schools).

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

- In most matters the Regional 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 Regional 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 Regional Catholic Education Office via the Professional Officer. The Professional Officer will refer the matter to the Regional Consultant for resolution.

STEP 6 – Where the concern remains, unresolved the Parent/Caregiver or the Regional Consultant may refer it to the Regional Director for review. A formal avenue of appeal is available at this stage in accordance with the Catholic Education Office document *Pastoral Care of Students in Catholic Schools* available from the school or at <http://www.ceo.syd.catholic.edu.au/> . All such appeals should be made to the Regional Director in writing.

STEP 7 – Where the Parent/Caregiver considers that correct procedures have not been followed, or that an unreasonable outcome has eventuated, a written appeal outlining the relevant details can be lodged with the Chair of the Sydney Archdiocesan Catholic Schools Board (SACS) addressed to the Head Office at Leichhardt. The Chair will appoint an independent person to undertake a review according to the *Pastoral Care of Students in Catholic Schools*.

If ultimately you are not happy with the way your concern has been dealt with by the school or the Catholic Education Office, you may wish to go to an external agency or legal advocate for advice and assistance.

## **REGIONAL OFFICES**

Eastern Region  
33 Banks Avenue,  
DACEYVILLE NSW 2032  
PH: 83443000 FAX: 83443097

Inner Western Region  
3 Keating Street,  
LIDCOMBE NSW 2141  
PH: 96433600 FAX: 96433609

Southern Region  
300 The River Road,  
REVESBY HEIGHTS NSW 2212  
PH: 9772700 FAX: 97727009

## HEAD OFFICE

Catholic Education Office  
38 Renwick Street,  
LEICHHARDT NSW 2040  
PH:95696111 FAX: 95500052

A copy of the brochure *Resolving Concerns and Complaints at School*, summarizing these Guidelines can be obtained from the School

## TIMEFRAMES

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 two (2) working days of lodgement at any of the steps in the '*Pathway for Resolving Concerns and Complaints at School*' process.
- An attempt to address and resolve the matter within seven (7) working days of lodgement at each step in the process.

## CONCERNS AND COMPLAINTS OF A CHILD PROTECTION OR LEGAL NATURE

Legally required processes for the management of complaints that fall within the definitions of Child Protection legislation is administered by the Head Office and is accountable to the NSW Ombudsman's Office and/or the Department of Community Services.

Where a teacher or Principal receives a complaint of this nature, he/she is required to inform the Regional Consultant and the Child Protection Officer at the Head Office. An investigation process will be undertaken that adheres to all of the general principles contained in these Guidelines.

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.**

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.

*These Guidelines were released in **November 2005** and will be reviewed during 2006. All comments can be forwarded to Carolyn Hadley, Professional Officer, Employment Relations at the Head Office address.*