

School-Based Complaint Handling Procedure

1. Rationale

To provide information relating to the role of the Director General of the Department of Education in the Disputes and Complaints Resolution Process.

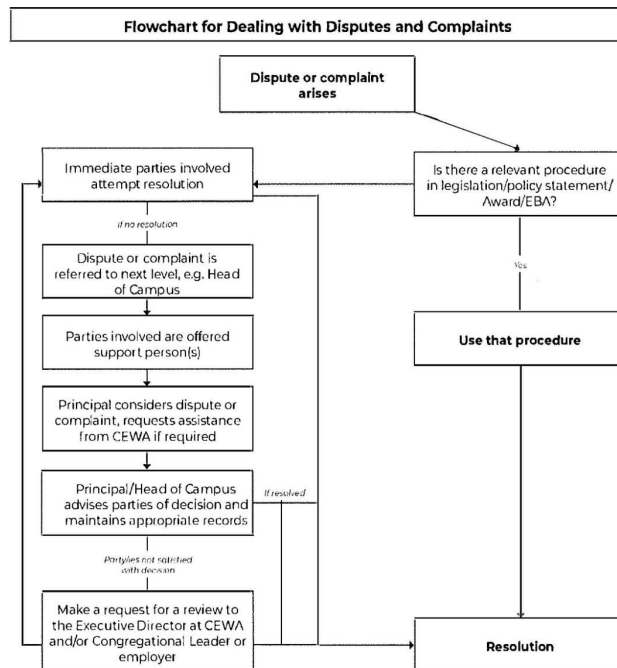
Sources of Authority	
CEWA Policy	CEWA Education Policy
Executive Directive	Dispute and Complaint Resolution

2. Scope

This Procedure applies to all members of our school community and all members of the public involved in interactions with the school.

3. Procedure

3.1 The Procedure for Dealing with School-Based Disputes and Complaints is outlined in the flowchart below.



- 3.2 Disputes and Complaints covered under this Executive Directive
 - 3.2.1 Where there is an appropriate executive directive that provides a specific mechanism for addressing the dispute or complaint, the appropriate procedure must be followed.
 - 3.2.2 Where there is a binding legislative or regulatory mechanism (including an Award or Enterprise Bargaining Agreement (EBA) that addresses the issue raised in the dispute or complaint, that legislative or regulatory mechanism must be followed. This executive directive is intended to cover disputes and complaints that are not covered in existing legislation, another executive directive, Award or EBA.
- 3.3 Availability of Information
 - 3.3.1 Information about the process for dealing with disputes and complaints from parents regarding a school-based issue is readily available via the school's website and Parent Handbook.
- 3.4 Resolution by the Immediate Parties
 - 3.4.1 When a dispute or complaint arises, the immediate parties involved should attempt to resolve the issue in the first instance.
 - 3.4.2 Parties may involve a support person(s) to assist them in resolving the dispute or complaint.
- 3.5 Resolution by Principal , Head of Campus or Line Manager
 - 3.5.1 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 Principal, Head of Campus or line manager.
 - 3.5.2 It is preferable that complaints are made in writing to the Principal, Head of Campus or line manager in the first instance. However, provision must be made for complaints to be made orally. In both situations, a record of the complaint that is as detailed as possible should be made at the earliest opportunity and, wherever possible, the complainant should verify the accuracy of that record.
 - 3.5.3 It is preferable that a complainant identifies him or herself as well as the subject or subjects of the complaint. However, a complainant has the right to make an anonymous complaint, in all cases the information should be assessed and duly considered.
 - 3.5.4 The Principal, Head of Campus or line manager is responsible for the resolution of disputes or complaints within the school referred to them by the immediate parties, in accordance with the rules of procedural fairness.
 - 3.5.5 A Principal, Head of Campus or line manager must be mindful of managing the wider effects that a dispute or complaint may have on the workplace beyond its resolution.
 - 3.5.6 The Principal, Head of Campus or line manager may request assistance and expertise (including mediation), including the involvement of the School Improvement Advisor or CEWA Employment Relations Team to assist in the resolution of a dispute or complaint.
 - 3.5.7 The Principal, Head of Campus or line manager must inform the complainant (unless s/he has chosen to remain anonymous) and relevant parties of the outcome of their decision. If a complaint is upheld, the complainant must be provided with redress to remedy the situation; any remedy must be fair, reasonable and appropriate to the nature of the complaint. Remedies that may

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be offered to complainants include but are not limited to: providing an apology, changing a directive, practice or behaviour, reconsidering a decision, retracting a public statement, providing non-financial assistance, or providing financial compensation for any loss.

3.5.8 The Principal, Head of Campus or line manager must 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.

3.6 Appendix 6 – Resolution by or Escalation of the Complaint to the Executive Director of CEWA and/or School Governing Bodies.

3.6.1 Where a dispute or complaint is about the principal or line manager and there is no likelihood that it can be resolved directly with the Principal, Head of Campus or line manager, the immediate parties may refer the dispute or complaint to the Executive Director of CEWA and/or School Governing Bodies.. The complaint will be managed by a person (or people) who does not have a conflict of interest in the manner.

3.6.2 Any party may request a review of the Principal, Head of Campus or line manager's decision, in writing, to the Executive Director of CEWA.

3.6.3 Where the Executive Director of CEWA receives a written dispute or complaint related to an order or other accountable school, the Executive Director of CEWA must notify the School Governing Bodies.

3.6.4 The School Governing Bodies of the order or other accountable school will review the dispute or complaint, or may request through the Executive Director of CEWA that CEWA undertake the review.

3.6.5 The dispute or complaint must be promptly acknowledged in writing unless the complainant is anonymous and cannot be identified.

3.6.6 The Executive Director of CEWA must ensure a formal examination and investigation of the complaint and/or areas of disputation.

3.6.7 The parties to the dispute or complaint must 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.

3.6.8 CEWA must 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.

3.7 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).

3.7.1 An appeal will only be heard on a breach in process and will not be a re-examination of the merits of the case. It should be noted that the Director General of the Department of Education does not have power to intervene in, mediate, resolve or determine the outcome of a complaint made to or about a non- government school. The Non-Government School Regulation Directorate of the Department of Education can be contacted about a complaint or concern but does not have a role in the resolution of complaints. The Directorate monitors compliance with the standards and requirements for non-government

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schools. Further information is available on the Department of Education website.

3.8 A person may make a complaint to an external body or tribunal at any time.

3.8.1 The relevant person (i.e. the Principal, Head of Campus, line manager, Executive Director, School Governing Bodies) 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 CEWA for resolution.

3.9 Recording Disputes and Complaints

3.9.1 All disputes and complaints must be recorded on a school or office complaints register, or centrally on any system-wide complaints register.

3.9.2 The complaints register must have the capacity to record the following information:

1. Date of complaint
2. Name of complainant and relationship to the school
3. Subject matter of the complaint, including the name of any person complained about and his or her relationship to the school
4. Complaint investigator and position or role at the school
5. Date investigation completed
6. Whether complaint upheld
7. Resolution agreed with or offered to the complainant
8. Date of referral for review (for example by the governing body)
9. Complaint reviewer and relationship to the school
10. Date review finalised; and
11. Review resolution agreed with or offered to the complainant.

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