

OLSH College Complaints Resolution Policy

Rationale

In keeping with Catholic social teaching, the Proclamation of Our Lady of the Sacred Heart College (OLSH College), and OLSH College's Respectful Relationships Policy, OLSH College is committed to fostering a school culture that features a reverence for the innate dignity of each person, a shared resolve to respect members' rights and responsibilities, the pursuit of justice and a desire for conciliation.

At OLSH College we nurture a culture in which concerns, complaints, grievances and disputes are addressed constructively, openly and respectfully, and in accordance with principles of procedural fairness. We recognise that students, parents, guardians, carers and staff may at times feel concerned or aggrieved about matters occurring at the College, and every member of our community has the right to have their concerns heard and responded to through a fair, transparent and accessible process.

Consistent with Victoria's Child Safe Standards under Ministerial Order No.1359, OLSH College ensures that its complaints processes are child-focused, culturally safe and accessible to all children and young people. We work positively and resolutely to achieve satisfactory outcomes for those involved, while maintaining a safe, respectful and supportive environment for all members of the College community.

Purpose

This purpose of this policy is to set out the formal process through which Complainants may raise Complaints and OLSH College will seek to resolve such Complaints.

Scope

This policy applies to Complaints raised by students, parents, guardians and carers.

This policy does not apply to concerns, complaints, grievances or disputes raised by:

- Students, parents, guardians and carers that are covered by any other OLSH College Policy including the Related College Policies
- College staff.

Staff may raise concerns, complaints, grievances or disputes:

- Through issue-specific OLSH College policies, such as the Workplace Behaviours Policy and Procedure
- Pertaining to employment conditions through the Disputes Procedure outlined in the Victorian Catholic Education Multi Enterprise Agreement (VCEMEA).

The Principal is responsible for determining whether an issue falls within the scope of this Complaints Resolution Policy, having regard to the definitions and scope set out in this policy. In making this determination, the Principal will provide the Complainant(s) with clear reasons where a matter is assessed as out of scope and, where appropriate, will direct the matter to the correct policy or process. Where the issue relates to the Principal, or where the Principal has a conflict of interest, this determination will be made by the Chair.

Guiding principles

In receiving and responding to Complaints, OLSH College is guided by the following principles:

- **Respect, courtesy and openness** will characterise all interactions with Complainants and Respondents
- **A genuine desire to reach fair and reasonable decisions** will inform all consideration of Complaints
- **Complaints will be addressed promptly and thoroughly**, with a commitment to timely resolution
- **Impartiality and the principles of natural justice** will underpin all decision-making
- **Confidentiality** will be maintained to the extent possible, noting that information may be shared where necessary for fair process or to meet legal obligations
- **Fair and transparent procedures** will guide information-sharing, conciliation, investigation and decision-making
- **Positive relationships** between parties will be preserved wherever possible
- **The educational wellbeing and safety of students** will remain central to all decisions and actions.

Procedures

Informal complaint resolution

Where appropriate, Complainants are expected to first attempt to resolve a concern, complaint, grievance or dispute informally before lodging a formal Complaint.

When doing so:

- Complainants must communicate in a constructive, clear, open and respectful manner
- Parents, guardians and carers must not directly approach any student other than their own child.

Where possible, matters should be resolved through open discussion in which relevant information is shared, issues are clarified, and any misunderstandings or miscommunications are addressed. Each party may be supported by a nominated support person. Using informal options in the first instance is encouraged, as it may prevent escalation of minor concerns.

Student registrations of complaints

Where informal attempts to resolve a concern, complaint, grievance or dispute have been unsuccessful, students are encouraged to raise Complaints with a Trusted Adult.

OLSH College is committed to:

- Letting students know that they can make a complaint about any kind of harm perpetrated at school, outside school, by an adult or by other children, including bullying or cyberbullying and other forms of harm.
- Encouraging students to speak up and act on concerns relating to themselves or their peers.

To that end, Trusted Adults will take the Complaint seriously and explain what steps students may take to try to resolve Complaints.

Parent, Guardian and Carer registrations of complaints

Where a student has not been able to resolve a Complaint through a Trusted Adult or is reluctant to approach a Trusted Adult, parents, guardians and carers may seek to resolve the Complaint on behalf of their child under this policy.

Parents, guardians and carers may also raise concerns, complaints, grievances or disputes pertaining to parent-school concerns (e.g. fees, curriculum offerings) as Complaints on their own behalf under this policy.

Where informal attempts to resolve a concern, complaint, grievance or dispute have been unsuccessful, parents, guardians and carers may register a Complaint:

- Where the Complaint relates to a child's alleged treatment by another student of the OLSH College, by calling or emailing the child's Learning Mentor, Head of House, or other member of the teaching staff
- Where the Complaint relates to a child's alleged treatment by a staff member of OLSH College, by calling or emailing a member of the OLSH College Leadership Team
- Of any other nature, by calling or emailing a member of the OLSH College Leadership Team.

Expectations of Complainants

In raising Complaints, Complainants must:

- **Follow the College's stated procedures** for raising and resolving a Complaint
- **Communicate constructively and respectfully**, including making appointments with staff at mutually convenient times and using appropriate communication channels
- **Not directly approach Respondents** or any other person allegedly involved in the matter
- **Where the Complainant is a parent, guardian or carer:**
 - listen to and support their child, while recognising that their child's perspective may differ from the experiences of others
 - refrain from directly approaching another student to discuss or chastise them about matters involving their child.

Staff responsibilities when responding to complaints (behavioural expectations)

In responding to Complaints, OLSH College staff will:

- **Listen actively** to ensure the Complainant's views and experiences are heard and understood
- **Communicate in ways that are constructive, fair and respectful**

- **Handle personal information sensitively**, maintaining confidentiality in day-to-day practice
- **Provide Respondents with clear information** about the substance of the Complaint and a genuine opportunity to respond
- **Respond in a timely manner**, keeping parties informed throughout the process
- **Strive for resolutions that are fair, reasonable and satisfactory** for all parties, consistent with College policies and Child Safe Standards
- **Advise Complainants of available options** for mediation and/or external review where they are dissatisfied with a decision made in accordance with this policy.

Formal process (Procedural steps undertaken on behalf of OLSH College)

Where a matter cannot be resolved informally or at the initial stage, the Principal or a member of the OLSH College Leadership Team will initiate the formal process outlined below.

Step 1 — Arrange a formal meeting

- Organise a face-to-face meeting with Complainants at a mutually convenient time.
- Invite Complainants to bring a support person of their choosing.
- Ensure Respondents are also invited to respond and, where appropriate, invited to attend the face-to-face meeting with a support person.

Step 2 — Conduct a fair and thorough investigation

- Gather and review all relevant information.
- Provide Respondents with clear details of the Complaint and an opportunity to respond.
- Ensure that no person is victimised or disadvantaged as a result of a Complaint being made.

Step 3 — Document the process

- Record the Complaint, the steps taken to investigate it, any actions implemented, and the decisions reached.
- Maintain records in accordance with OLSH College requirements and applicable legislation.

Step 4 — Determine and communicate the decision

- Assess the information and make a decision that is fair, reasonable and consistent with College policies and Child Safe Standards.
- Communicate the decision in writing to all relevant parties, including:
 - the findings of the investigation
 - the reasons for the decision
 - whether the Complaint was substantiated or unsubstantiated
 - any actions to be taken where the Complaint is substantiated, which may include:
 - an apology or expression of regret
 - a change of decision
 - a change to policy, procedure or practice
 - offering student counselling
 - initiatives to support and restore the student–parent–school relationship.

Complaint escalation and avenues of appeal

Where a Complaint cannot be resolved through OLSH College's internal complaint-handling procedures, or where Complainants [or Respondents] remain dissatisfied with the manner in which the Complaint has been addressed, the Principal may initiate an external process of investigation and/or mediation. External escalation may also be appropriate where the matter is complex, serious, involves a potential conflict of interest, or falls within the jurisdiction of an external authority.

The external investigation or mediation process may include:

- an open minded and comprehensive data gathering phase – including review of any relevant file notes, records of actions taken and witness reports;
- a formal interview with Complainants, Respondents and other relevant parties;
- an assessment of information gathered and whether the Complaint is substantiated.

OLSH College will cooperate fully with any external authority or mediator engaged to review the matter.

If Complainants [or Respondents] remain dissatisfied with the outcome of the escalated process, they may have the right to seek review by an external authority with jurisdiction over the matter. Depending on the nature of the Complaint, this may include:

- the **Victorian Institute of Teaching (VIT)** – for matters relating to teacher conduct or competence
- the **Victorian Equal Opportunity and Human Rights Commission (VEOHRC)** – for matters involving discrimination, harassment or vilification
- the **Australian Human Rights Commission (AHRC)** – for matters involving federal discrimination law
- the **Victorian Registration and Qualifications Authority (VRQA)** – for matters relating to school registration, governance or compliance obligations

External authorities will consider only those matters that fall within their statutory remit. Once an external authority has made a determination, OLSH College will implement any required actions.

Anonymous complaints

OLSH College may receive and consider anonymous complaints. The extent to which an anonymous complaint can be investigated will depend on the nature and specificity of the information provided.

Anonymous complaints that raise concerns about **child safety, discrimination, harassment, bullying, or other serious matters** will be reviewed and acted upon to the extent possible, consistent with the College's legal and regulatory obligations.

For other types of matters, the College **may exercise discretion** in determining whether an investigation is feasible or appropriate, noting that the ability to seek clarification, verify information, or ensure procedural fairness may be limited.

The College will not make adverse findings against an individual solely on the basis of an anonymous complaint and will ensure that any investigation upholds the principles of natural justice.

While anonymous complaints are accepted, Complainants are encouraged to identify themselves where possible to enable a fair, transparent and effective resolution process.

Confidentiality, privacy and information sharing

Confidentiality applies with respect to information relating to Complainants and Respondents. OLSH College is committed to maintaining the confidentiality of information throughout the Complaints Resolution Process.

Some exceptions may apply where the Complaint concerns child safety allegations or incidents or other matters where the disclosure and/or sharing of information may be required or authorised by law (for example, under child safety legislation or under the Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS)).

Staff safety and wellbeing

OLSH College places high value and priority on maintaining a safe and respectful working environment for our staff. OLSH College regards certain behaviours as harmful and unacceptable insofar as they compromise the safety and professional wellbeing of our staff.

These behaviours include, but are not limited to:

- shouting or swearing, either in person or on the telephone;
- physical or verbal intimidation;
- aggressive hand gestures;
- writing rude, defamatory, aggressive or abusive comments to/about a staff member (emails/social media)
- racist or sexist comments;
- damage or violation of possessions/property.

When a party to a Complaint behaves in such unacceptable ways, the Principal or a senior staff member will seek to resolve the situation and repair relationships through discussion and/or mediation.

In accordance with the Catholic Education Commission of Victoria (CECV) Safe and Sound Practice Guidelines, where the behaviour of party to a Complaint is deemed likely to cause ongoing harm, distress or danger to the staff member or others, OLSH College may exercise its legal right to impose a temporary or permanent ban on that party entering the school premises. In an extreme act of violence that causes physical harm to the staff member and his/her property, the matter may be reported to the police for investigation.

Monitoring complaints

OLSH College welcomes feedback, both positive and negative, and is committed to continuous improvement. OLSH College values open communication with students and families and is

committed to understanding Complaints and addressing them appropriately. OLSH College recognises that the Complaints Resolution Process provides an important opportunity for reflection and learning.

OLSH College reviews the information about Complaints made over time to:

- Identify common or recurring issues that may need addressing
- Assess the effectiveness of these and other procedures and whether they are being followed.

Specific complaint types

Complaints of staff misconduct or serious misconduct

Issues concerning alleged misconduct or serious misconduct by a teacher or staff member should be reported directly to the Principal, who will be guided by Victoria's Reportable Conduct Scheme and OLSH College's internal policy directives for such matters.

Issues concerning registered teachers may also be reported to the Victorian Institute of Teaching (VIT), which is the regulator in relation to the registration and investigation of serious misconduct of all registered teachers in the State of Victoria. If unsure if the complaint constitutes serious misconduct by a registered teacher, contact VIT on 1300 888 067 or email vitconduct@vit.vic.edu.au.

Complaints concerning students with a disability

Parents, guardians and carers should raise any issues regarding the treatment of a student with a disability with the relevant College leadership personnel and the leader of any support group established for the student.

Parents, guardians and carers of students with a disability may also raise issues regarding a student with a disability in a number of external forums, including:

- the Australian Human Rights Commission – for complaints regarding compliance with the
- *Disability Discrimination Act 1992* (Cth) or the *Disability Standards for Education 2005* (Cth)
- the Victorian Equal Opportunity and Human Rights Commission – for complaints regarding compliance with the *Equal Opportunity Act 2010* (Vic.).

Complaints about the Principal

If the Principal is the subject of the Complaint, the Chair of the College Board will assume responsibility for investigating and resolving the Complaint.

Child Safety complaints

Issues concerning child abuse, grooming or other harmful behaviours towards current or former students are managed by OLSH College in a different manner to other complaints. This is because of the additional legal and privacy requirements surrounding these kinds of matters. Such issues may be referred directly to the Principal or the College's Child Safety Leader and will be managed in accordance with the relevant OLSH College policy.

OLSH College's Child Safety Leader receives additional specialised training with respect to child safety and protection issues and is a point of contact for raising child safety concerns within OLSH College.

Definitions

Where the following terms are used throughout this document, they have the meaning set out below:

Chair means Chair of the College Board.

Complainant(s) means the student(s), parent(s), guardian(s) or carer(s) with the Complaint.

Complaint means the formal raising of a concern, complaint, grievance or dispute about an action, decision, service, or behaviour that affects a student, parent, guardian, carer, staff member, or the broader school community, and which requires acknowledgement, review, and an appropriate response through OLSH College's Complaints Resolution Process but excludes any complaint or concern covered by any other OLSH College Policy including the Related College Policies.

Complaints Resolution Policy means this policy.

Complaints Resolution Process means the process for resolving Complaints set out in the Complaints Resolution Policy.

Related College Policies means the policies set out in section 8 of this Complaints Resolution Policy.

Respondent(s) means any person against whom the Complaint has been made.

Trusted Adult means a trusted adult of the student's choosing and may include the student's Learning Mentor, their Head of House or Assistant Head of House, the Deputy Principal Student Wellbeing, the Director Student Wellbeing, the Student Counsellor, the Principal or any other staff member.

Related College policies

Child Safety and Wellbeing Policy
Child Safety Code of Conduct
Child Protection Reporting Responsibilities Policy
Cyber Safety Policy
Mobile Phone and Digital Technology Policy
Privacy Policy
Respectful Relationships Policy
Student Anti-Bullying Policy
Workplace Equal Opportunity Policy
Workplace Behaviours Policy and Procedure

Policy history and review

We are committed to continuous improvement of our policies and practices. OLSH College intends this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

Responsibility:	Principal and College Board Policy and Governance Committee
Reviewed and revised	May 2017, July 2022, July 2026
Next review date:	July 2028

Attachment 1: Flowchart summarising OLSH College Complaints Resolution Policy

