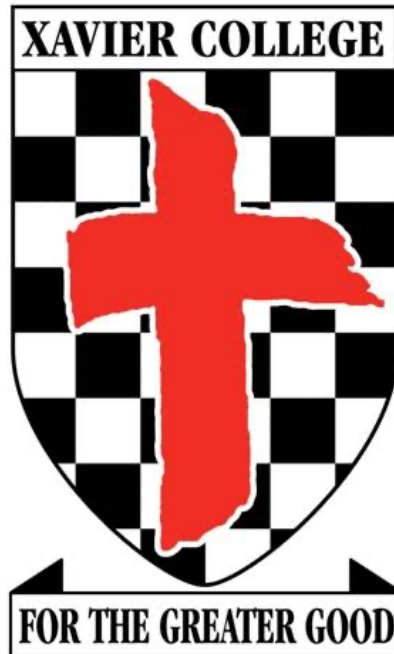


# Xavier College



## COMPLAINTS POLICY

### Other Related Documents:

- CEDP Complaints Handling Policy
- CEDP Complaint Handling Procedures and Guidelines

| CONTACT PERSON      |                 |
|---------------------|-----------------|
| Principal           | Mr Michael Pate |
| Assistant Principal | Mr Greg Malone  |

| DATE OF PUBLICATION | STATUS           | DATE TO BE REVIEWED |
|---------------------|------------------|---------------------|
| 2016                | Working Document | June 2023           |
| LAST REVIEWED       |                  |                     |
| June 2021           |                  |                     |

## Preamble

Xavier College actively seeks to provide students with a stimulating learning environment that is safe and well ordered. It is a fundamental right of everyone in our College community to feel safe and secure. It is the right of everyone (students and staff) to be able to come to our school each day without fear of being intimidated, humiliated or threatened verbally or physically with harm.

From time to time issues may arise that require additional clarification in regard to (i) College Policies and expectations and (ii) Classroom Management.

Xavier College holds the following expectations of all members of our College community:

***We behave, speak and treat one another in respectful ways.***

***We understand that everyone is different, and we respect those differences.***

***We look out for one another, and offer our support when others need our help.***

This policy outlines the responsibilities of all staff when dealing with complaints about Xavier College and our students.

**Procedural fairness** requires us to act justly in resolving discipline and pastoral issues. *"Processes will be conducted with procedural fairness ensuring fair practice and equity"* (Maintaining Right Relations, 2003).

Individuals making a complaint should:

- Be afforded the opportunity to give their version of events (the right to be heard – Hearing rule)
- Know why the proposed action is happening, how the issues will be determined, what the allegations are and how any matters related to these will be taken into consideration.
- Be given a timeline in which steps will be taken. They should also be given an opportunity to respond.
- Be asked if they would like to have a support person present when the allegations are serious.
- Be afforded the right to seek and receive advice.
- Be advised of their right of appeal.

Procedural fairness requires **impartiality** of the decision maker.

Corporal punishment is never to be used by anyone as a consequence for misbehaviour at Xavier College. This is a child protection issue and is supported by Parramatta Diocesan Policy.

**Please Note:** As legislated under the **Children and Young Persons Care and Protection Act**, all teachers are mandated to report to the Principal any suspicion, evidence or notification of corporal punishment being used in the home

### **10.9.1 Introduction**

The Church's mission is to proclaim the Word of God and to be the lived example of Christ in the World.

As part of the Church's mission, the system of schools in the Diocese of Parramatta, educates young people in the gospel and forms them to live their life to the full.

The system's Strategic Intent aims to improve learning outcomes for all students and promote a professional and rewarding working life for all staff.

The purpose of this policy is to facilitate this mission and Strategic Intent.

### **10.9.2 Policy statement**

A complaint is an expression of dissatisfaction relating to Catholic Education Diocese of Parramatta that requires a response.

Complaints will be addressed professionally, competently and in a timely manner applying principles of natural justice and confidentiality, and ideally will be resolved closest to the source of the complaint.

### **10.9.3 Scope and application**

These procedures apply to parents/guardians, students, visitors, volunteers, community members, staff and contractors of the Catholic Education Diocese of Parramatta, except where issues are dealt in accordance with:

Suspension, Transfer, Expulsion, Exclusion Procedures 2012 Child Protection – Risk of Harm and Significant Harm and /or Allegations Relevant CEO discipline procedures for employees (for serious complaints involving allegations of misconduct/unsatisfactory performance by employees) Enterprise Agreements/Awards Anti-Bullying Policy for Students 2005 Criminal Jurisdiction

Generally student complaints will be processed through school based policies and procedures relating to pastoral care or student management. The Catholic Education Office Complaint Handling Policy and Procedures may be used in matters assessed as more serious in nature and involving an adult as one of the parties (e.g. a complaint by a student against a teacher, teacher against a student, or by a parent on behalf of their child).

This policy is implemented using the Complaint Handling Procedures and

Guidelines. Complaints relating to the areas of discrimination, harassment and bullying are dealt with according to these procedures with reference to the Countering Discrimination, Harassment and Bullying Policy (2010).

Complaint Handling Procedures and Guidelines Complaints will be addressed according to the Complaint Handling Guidelines in a professional, competent and timely manner.

### **10.9.4 Complaint Handling Guidelines Scope and Application**

These guidelines apply to parents/guardians, students, visitors, volunteers, community members, employees and contractors of the Catholic Education Diocese of Parramatta, except where issues are dealt in accordance with\*:-

Suspension, Transfer, Expulsion, Exclusion Procedures 2012 Child Protection – Risk of Harm and Significant Harm and /or Allegations Relevant CEO discipline procedures for employees (for serious complaints involving allegations of misconduct/unsatisfactory performance by employees) Enterprise Agreements/Awards Anti-Bullying Policy for Students 2005 Criminal Jurisdiction

Generally student complaints will be processed through school based procedures relating to pastoral care or student management. The Catholic Education Office Complaint Handling Procedures may be used in matters assessed as more serious in nature and involving an adult as one of the parties (e.g. a complaint by a student against a teacher, teacher against

a student, or by a parent on behalf of their child).

Complaints relating to the areas of discrimination, harassment and bullying are dealt with according to these guidelines with reference to the Countering Discrimination, Harassment and Bullying Policy (2010).

#### **10.9.5 Definitions**

The person making a complaint is referred to as 'the complainant'. The person about whom the complaint is made is 'the respondent'. The 'parties' refer to both complainant and respondent. The person handling the complaint is the 'complaint handler', usually a team leader, principal or Director of School Performance. Persons who directly witness an alleged incident are referred to as 'witnesses'.

#### **10.9.6 Complaint options**

There are informal and formal options for making and resolving complaints. The aim is to resolve most complaints informally where appropriate.

Assessment of a complaint is an important step in determining how a complaint will be handled.

##### **10.9.6.1 Informal Complaints**

Making an informal complaint

Wherever possible, complaints should be raised directly with the person concerned (unless this person is a child, in which case, it is usually more appropriate to contact the relevant teacher or member of the School Executive). Approaching the person who may be the cause of the complaint and letting them know the impact of their actions may be the most appropriate action. This provides the person with an opportunity to stop or change what they are doing and/or explain their actions.

Informal complaints may be received in a number of ways, including face-to-face contact, email, letter or phone. Completion of the Complaint Form is optional for informal complaints although all complaints should be recorded.



# Intake Form For Complaints

# Confidential

|  |                                     |                                    |                                |                              |                                 |
|--|-------------------------------------|------------------------------------|--------------------------------|------------------------------|---------------------------------|
| Date:  | <input type="checkbox"/> phone call | <input type="checkbox"/> in person | <input type="checkbox"/> email | <input type="checkbox"/> fax | <input type="checkbox"/> letter |
| Name of person making contact:   |                                     |                                    |                                | Phone:                       |                                 |
| Name of person receiving complaint:  |                                     |                                    |                                |                              |                                 |
| Nature of matter:  |                                     |                                    |                                |                              |                                 |
| Advice / Action:   |                                     |                                    |                                |                              |                                 |
| Advice provided by:  |                                     |                                    |                                | Date:                        |                                 |
| <b>Assessment</b> (Principal or Principal's delegate)<br><input type="checkbox"/> Report to DOCS Helpline / Police<br><input type="checkbox"/> Non-reportable matter (EXEMPTION a, b, or c) under Ombudsmen's Act 1974 – file established at CEO<br><input type="checkbox"/> Reportable to Ombudsmen – file established at CEO<br><input type="checkbox"/> Not in jurisdiction – managed by <input type="checkbox"/> Principal <input type="checkbox"/> Assistant Principal <input type="checkbox"/> DOSP <input type="checkbox"/> Other<br><input type="checkbox"/> Matter resolved, no further action required |                                     |                                    |                                |                              |                                 |
| Assessment made by:  |                                     |                                    |                                | Date:                        |                                 |
| Name and location of associated file:  |                                     |                                    |                                |                              |                                 |
| <b>Please file this form in the complaints register</b><br>Attach original documentation (if any) of this complaint (eg Communication slip) to this form<br><i>Place a copy in the staff members file</i>  |                                     |                                    |                                |                              |                                 |