



COMPLAINTS POLICY

Policy	Complaints
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Policy Officer	EO

<p>Rationale</p>	<p>This policy outlines the way in which Kildare Education Ministries (KEM) and KEM schools will respond to and endeavour to resolve complaints referred to the school by parents, guardians, carers, students, staff or members of the community. It also provides guidelines for those who may wish to lodge a complaint.</p> <p>NB: This policy does not cover complaints regarding child abuse (refer to Resources section for further guidance on handling child abuse complaints). Nor does it relate to critical incidents, emergency management, criminal offences, the imposition of School Community Safety Orders, or the conduct of clergy or other persons involved in religious ministry.</p> <p>This policy is not to be used by staff or volunteers in relation to complaints about their workplace or employment conditions. These matters should be addressed either through OHS or Internal Grievance Procedures.</p>
<p>Principles and Values</p>	<p>KEM and its schools are committed to providing a safe and supportive work and learning environment for all employees and students. They strive to be communities of faith, hope and love, where the dignity of the human person, created in the image and likeness of God, is given the highest respect. Communication takes place in an environment of transparency, compassion, tolerance and inclusion.</p> <p>KEM acknowledges that from time to time, complaints may arise. An employee, student, parent or community member may have a complaint about a decision, behaviour, act or omission (whether by the Principal, members of the leadership team or other staff/students/parents) that they feel is unacceptable, unreasonable or discriminatory.</p> <p>KEM and its schools will address such matters within a framework of dignity, respect and truth, and in a manner consistent with KEM’s commitment to Gospel values in the reality of our contemporary world.</p> <p>KEM will also require of its schools a timely and professional response to complaints, as an effective means of encouraging communication, building trust, resolving issues, and establishing a settled and happy learning environment for students, staff and families.</p>

Audience	The audience for this policy is the Board of KEM, the KEM secretariat, all personnel employed or engaged in KEM schools and offices, families and the wider community.
Definitions	<p>A complaint is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue in the school/workplace.</p> <p>Complainant is the person making the complaint.</p> <p>Family/Families can be taken to include parents, guardians and carers.</p>
Procedures	<p>All KEM schools are required to develop and maintain a fair, effective and efficient complaint-handling process so that complaints about events or decisions at the school can be addressed.</p> <p>KEM Schools are required to set behavioural expectations in their complaints management policies and to make these available to the school community through a range of communications such as school websites, newsletters and enrolment procedures.</p> <p>1. Examples of complaints covered by this policy are:</p> <ul style="list-style-type: none"> • Issues related to learning and teaching • Issues related to student discipline and welfare procedures • Issues related to professional conduct • Issues concerning relational disputes/concerns e.g., bullying & harassment • Issues related to damage/loss of personal property. <p>In conjunction with this complaints procedure, note should be taken of relevant legislation, guidelines, policies and procedures pertinent to the issue (see Resources section).</p> <p>2. Procedural principles</p> <ul style="list-style-type: none"> • Complaints of a school-based nature are best received and managed at the school level, with the parties involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties. Complaints that are unable to be resolved at the local level will be escalated to KEM. Complaints are to be received and managed in a way that is culturally safe and sensitive to the diverse circumstances of children and students, as well as providing support to vulnerable children and students. • Complainants should expect their concern or complaint to be taken seriously and to be responded to in a respectful, thorough and timely manner. • Complainants and the person/s against whom the complaint is made have the right to be heard and to expect that procedural fairness will be observed. • Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the complaints resolution process. • Staff members and volunteers will be informed of formal complaints that are made about them. • The complaints resolution process will seek to achieve the restoration of good and respectful relationships.

- The best interests of the school community together with the interests of the individual will be taken into account.

Record keeping, reporting, privacy and employment law obligations will be complied with when receiving and handling complaints.

NB: Complaints regarding alleged sexual abuse cannot be investigated by KEM Schools independently. These must and will be reported to the police and to the Department of Human Services (see **Resources** section).

3. Complaints against teachers and staff

The nature of the complaint will determine who is the most appropriate person or body to manage a complainant's concerns.

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported to the Principal of the school. Complaints about 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 (including conduct which is of a physical or emotional nature) of all teachers in the state of Victoria. If unsure if the complaint constitutes serious misconduct by a teacher, contact the VIT on Telephone 1300 888 067 or email vit@vit.vic.edu.au. In South Australia contact can be made with the Teacher Registration Board of South Australia (<https://www.trb.sa.edu.au/>).

In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences must be reported to and investigated by the police. Consultation with the Principal of the school is essential and may help to determine the appropriate course of action in these circumstances.

4. Complaints against the Principal of a school

Complaints against the Principal of a KEM school should be referred to the Chair or Executive Officer of the KEM Board.

5. Complaints against clergy or other persons involved in religious ministry

If the complaint relates to the clergy or other religious, the complainant should contact and seek advice from the Professional Standards Unit of the Vicar General's Office at Catholic Archdiocese of Melbourne (www.melbournecatholic.org) at 03 9926 5677, or in Adelaide, advice should be sought from South Australian Professional Standards Office at 1800 139 020.

NB: If the priest or religious is a member of a religious order, the complainant should also contact the Provincial Leader or Professional Standards Office of that congregation or religious order.

6. Anonymous complaints

KEM and KEM schools will endeavour to address and respond to all complaints. In some situations, however, KEM may not be able to address complaints that are made anonymously or which lack sufficient detail to enable an investigation or resolution of the matter. For 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.

Procedures for those who wish to make a complaint

The following steps will guide the process for those wishing to make a complaint about issues arising at a KEM school.

1. Clarify the issue:

- Be clear about the topic or issue to be discussed.
- Be mindful of the need to ascertain all the facts relating to the circumstances of the topic or issue.
- Think about what an acceptable outcome for all parties might be.

2. Utilise some or all of the following actions:

- Write an appropriate letter or email to the relevant person (e.g., classroom teacher) outlining concerns.
- Make an appointment to speak on the phone or in person with the relevant person(s).
- Speak with a Year Level Coordinator or Learning Leader, or equivalent, if appropriate.
- Arrange meeting times or phone calls through the school office.
- Give the relevant person(s) a reasonable amount of time to address or resolve the concerns.

3. Contact the Principal or member of School Leadership Team:

If the issue remains unresolved after discussion with the relevant person(s) at the school,

- Request an appointment with the Principal or Leadership Team member.

Note: the Principal may ask another senior staff member to represent her/him. If the relevant staff member is going to be present at the meeting, the meeting time is more likely to occur outside classroom hours.

- All parents must adhere to the KEM’s “Parent Code of Conduct” in their interactions with any staff member.

4. Complaint escalation

If the matter cannot be resolved at the school level, or if the complaint is about the Principal of a KEM school, complainants may contact Kildare Education Ministries Executive Officer. If the matter is not resolved after the involvement of the KEM Executive Officer, it may be referred to the Chair of the KEM Board.

5. Lodging a complaint via Kildare Education Ministries

A complaint can be referred to Kildare Education Ministries via mail, email (phoulahan@kildareministries.org.au) or telephone as per contact details below.

Kildare Education Ministries
Executive Officer
Brigidine Ministry Centre
54 Beaconsfield Parade Albert Park VIC 3206
Phone: 03 9682 2973

KEM Board Chairperson
Brigidine Ministry Centre

	<p>54 Beaconsfield Parade Albert Park VIC 3206 Phone: 03 9682 2973</p>
<p>Actions to be taken by KEM Schools following receipt of a complaint</p>	<p>Following receipt of a complaint, the school will take some or all of the following actions:</p> <ul style="list-style-type: none"> • acknowledge receipt of a written complaint as soon as possible, ensuring the complainant is aware of the College’s complaints handling procedures. • record the complaint in the agreed data management system to ensure the complaint can be tracked. • advise the complainant that a record of their complaint is being maintained. • contact the complainant for more information to help assess the issues or allegations. • assess the complaint, which may result in undertaking one or more of the following processes to help resolve it: <ul style="list-style-type: none"> ○ allow more time for resolution; ○ provide assistance to reach a resolution through leadership team support; ○ arrange for an independent investigation. • where necessary, seek advice from appropriate sources and/or external agencies to determine how a complaint may be reviewed and whether other avenues of appeal/redress already exist. • advise the complainant of any delays that may occur in the school’s ability to respond within a set timeframe. • where necessary, actively support any complainant with special needs through the complaint process. • record the outcome of the complaint in the agreed system database. • communicate the outcome of the complaint investigation to the complainant. <p>Possible outcomes of a complaint The school’s assessment may result in the complaint being upheld or not upheld. If the complaint is upheld, suggested actions include providing the complainant with:</p> <ul style="list-style-type: none"> • an apology or expression of regret • formal communication of a change of decision, policy, procedure or practice • the provision of counselling or other support • mediation. <p>When a complaint is not upheld If the complaint is not upheld the suggested actions could include providing the complainant with</p> <ol style="list-style-type: none"> 1. an explanation of: <ol style="list-style-type: none"> a) how the decision taken is consistent with school policy b) how the decision taken is supported by an external agency that

	<p>specialises in the area under consideration</p> <p>c) how the school's policies and guidelines are reflected in and supportive of the decision</p> <p>2. the provision of counselling or other support.</p> <p>Complainants should note that privacy laws may prohibit information being provided to the complainant of any specific action that has been taken in relation to individuals about whom the complaint has been raised. This is also consistent with KEM schools' commitment to uphold the dignity of each person involved during the complaint process.</p>
Responsibilities and Communication Obligations	This policy must be provided to Board Directors of KEM, to KEM school Principals and all personnel employed in KEM schools and made available on the KEM website www.kildareministries.org.au .
Breaches of this policy	Breaches of this policy may be addressed by further education or, when judged necessary, corrective or disciplinary action.
Appendices	Nil
Related Policies and Procedures	<ul style="list-style-type: none"> • KEM Promotion of Student Wellbeing Policy • KEM Promotion of Staff Wellbeing Policy • KEM Parent Code of Conduct • KEM Professional Standards
Resources	<p>National</p> <ul style="list-style-type: none"> • The Living Justice Living Peace Charter • Kildare Ministries' Vision and Mission Statement <p>South Australia</p> <ul style="list-style-type: none"> • Reporting suspected harm of children and young people (SA) <p>Victoria</p> <ul style="list-style-type: none"> • Reporting child abuse (Victoria)