



SMJ HORSHAM

COMPLAINTS & GRIEVANCES POLICY

RATIONALE

Ss Michael and John's Primary School is committed to providing an environment, where all are treated with dignity and respect and communication takes place in an environment of transparency, respect, compassion, tolerance and inclusion.

Catholic teaching emphasises the primacy of parents as the first teachers of their children. Within the reality of the schooling experience, it is recognised that from time to time misunderstandings and differences of opinion will occur, and that these need to be resolved satisfactorily in partnership with the stakeholders involved. Addressing such matters within a framework of dignity, respect and truth can provide powerful opportunities to model the love of Christ in the reality of our contemporary world. It is recognised that the best way of maintaining good working relationships, is to follow fair and equitable procedures for the resolution of grievances.

BACKGROUND

It is believed that grievances are an important way for a school community to provide information and feedback to a school and that each grievance provides a valuable opportunity for reflection and learning.

It is believed that school issues and grievances are best handled at the school level.

When grievances about an apparent breach of policy or matter of compliance with the minimum standards for school registration cannot be resolved at the school, the CEOB will seek to assist in resolving the issue using procedures and processes that are fair, consistent and safeguard the dignity of all parties.

An effective grievance-handling system has a clear process for resolving grievances, treats people fairly, is timely and provides those people involved in a grievance with a fair opportunity to respond to issues and to present their views.

DEFINITIONS

A grievance is an expression of dissatisfaction with an action taken, decision made or service provided, or the failure to provide a service, take action or make a decision at a school.

A grievance is considered to be '**resolved**' when the complainant and the school and/or CEO agree on an appropriate response or remedy.

A grievance is considered to be '**finalised**' when the Director of Catholic Education has made a final determination on the matter after exhausting the processes set out in this policy.

A grievance is considered to be '**unresolved**' when agreement cannot be reached on a course of action and/or a remedy, or if the remedy cannot be implemented.

A Complainant is the person lodging the grievance.



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Complaint is an expression of dissatisfaction.

Conciliation a **confidential** process in which the parties to a dispute, with the assistance of a neutral third party (the conciliator) identify the disputed issues, develop options, consider alternatives and endeavour to reach an agreement.

The **minimum standards for school registration** are the requirements/standards specified for all schools in the Education and Training Reform Act 2006 (the Act) and the Education and Training Reform Regulations 2007.

The school governing authority is the owner of the school and the employer of the principal.

POLICY STATEMENT

Ss Michael and John's Primary school will follow the Grievance Handling Procedures as outlined.

All parents/carers of students attending Ss Michael and John's Primary school are requested to follow the Grievance procedures as outlined in the Grievance Procedures for Parents.

All staff of Ss Michael and John's Primary school are requested to follow the procedures as outlined in the Grievance Procedures for Staff.

The Canonical Administrator and Principal are responsible for the efficient and effective organisation, management and administration of the grievance handling process.

People are entitled to raise complaints which will be resolved in a non-threatening, respectful manner and in a safe environment.

The grievance process seeks to implement a culture of respect, dignity and fair treatment.

- All efforts are made to resolve complaints at the local level
- Processes will acknowledge and value different perspectives and are guided by compassion in seeking conciliation
- Grievances will be treated seriously, expeditiously, sensitively and as close as possible to their source having due regard to procedural fairness, confidentiality and potential for victimisation
- Concerns should be raised as early as possible after the incident relating to the complaint has occurred • Complainants should not instigate grievances that are frivolous, vexatious or without reasonable cause • All parties are required to participate in good faith in the grievance resolution process
- Grievances and information arising from the handling of any grievance must be treated confidentially, by all parties
- The principles of natural justice will be observed throughout. This means that before a decision is taken, a person has the right to be informed about the nature and content of the grievance; has the right to be heard and has the right to an unbiased decision maker
- Both parties have the right to nominate a support person to attend any of the meetings in the grievance process.



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WHERE TO DIRECT GRIEVANCES

Grievances regarding serious misconduct of staff and volunteers are referred to the Director of Catholic Education for investigation by the Diocesan Professional Standards Coordinator in accordance with the Protocol for Managing Allegations of Abuse 2016.

Grievances regarding serious misconduct of principals are referred to the Director of Catholic Education Ballarat.

Grievances regarding serious misconduct of the Director of Catholic Education, of clergy or of religious staff are referred to the Bishop of Ballarat.

Grievances regarding the suspected sexual abuse of a child are reported to Victoria Police.

Grievances regarding suspected cases of child abuse and neglect are reported to the Department of Human Services (DHS) Child Protection.

Grievances regarding alleged criminal behavior are referred to the Police.

Other grievances which can be dealt with at the school level and have not been investigated by the principal are referred to the principal for initial investigation unless the Director of Catholic Education believes that this is not appropriate.

Grievances about a parish or diocesan school will be dealt with by the Catholic Education Office Ballarat.

KEY RELATED DOCUMENTS

- Student Anti Bullying and Harassment Policy
- Child Safety Policy
- Grievance Procedure for School Staff
- Grievance Procedure for Families
- Grievance Information for Students

RELATED LEGISLATION

The relevant legislative and regulatory framework for this policy includes:

- Education and Training Reform Act 2006 (Vic.)
- Education and Training Reform Regulations 2017 (Vic.)
- Charter of Human Rights and Responsibilities Act 2006 (Vic.)
- Protected Disclosure Act 2012 (Vic.)



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- Privacy Act 1988 (Cth)
- Crimes Act 1958 (Vic.)
- Equal Opportunity Act 2010 (Vic.)
- Wrongs Act 1958 (Vic.)
- Disability Discrimination Act 1992 (Cth)
- Disability Standards for Education 2005 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Migration Act 1958 (Cth).