

COMPLAINTS AND  
CONCERNS POLICY



**ST PATRICK'S**

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## RATIONALE

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St Patrick's Primary School strives to be a community of faith, hope and love where communication takes place in an environment of transparency, respect, compassion, tolerance and inclusion in the interests of all students.

Teaching and learning works best when parents/carers and staff talk to each other and work together to solve problems. At St Patrick's we recognise that from time to time misunderstandings and differences of opinion will occur and that these differences need to be resolved in partnership with stakeholders, in a timely and satisfactory manner.

## AIM

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St Patrick's Complaints and Concerns Policy aims to:

- Ensure parents/carers wishing to make a complaint know how to do so;
- Address complaints promptly, consistently and fairly;
- Ensure appropriate action is taken if required;
- Contribute to providing a safe and supportive learning environment for all; and
- Provide a safe working environment for staff.

## DEFINITIONS

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**Complaint** means the expression of dissatisfaction with any aspect of the school's operation. It may be general in nature or related to particular staff, a part of the school, a policy or a decision.

**Concern** means a request for service that can generally be addressed at the time of being raised without the need for more involved consideration.

## PROVISIONS

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### 1. Implementation

The implementation of the policy is the responsibility of the School Principal and confidentiality of all parties will be maintained and the principles of natural justice observed. All parties are to behave respectfully and with understanding of each other's point of view and value difference, rather than judge and blame.

### 2. Complaints against teachers and staff

#### 2.1. Misconduct or serious misconduct

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported to the School Principal. Complaints about teachers can 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](mailto:vit@vit.vic.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 should be reported to and investigated by the police. Initial consultation with the School Principal may help to determine the appropriate course of action in these circumstances.

### 2.2. Child abuse (including sexual offences)

There are legal obligations on all adults to report child abuse to police once a reasonable belief is formed that a sexual offence has been committed against a child. Failure to disclose a sexual offence against a child is a criminal offence under Section 327 of the *Crimes Act 1958 (Vic.)* and applies to all adults (18 years and over) in Victoria.

Complaints involving communication with children under 16 years by teachers, staff or any other person to prepare or 'groom' a child for future sexual activity is a criminal offence under Section 49B (2) of the *Crimes Act 1958 (Vic.)* and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age. This works in conjunction with St Patrick's Child Protection – Reporting Obligations Policy.

### 3. Complaints against the School Principal

In the case of complaints involving the School Principal which forms part of a parish as St Patrick's does, the Parish Priest ('the employer') and the manager of the relevant CEM Office – in the case of St Patrick's the Northern Region Office – should be informed immediately.

### 4. Complaints against clergy or other religious persons

If the complaint relates to the clergy or other religious persons of St Patrick's, the complainant should contact and seek advice from the Professional Standards Unit of the Vicar General's Office in the Archdiocese of Melbourne, 228 Victoria Parade, East Melbourne. Contact [www.cam.org.au](http://www.cam.org.au) or telephone 03 9926 5680.

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

### 5. Procedures for complaints about issues arising at school

The following procedures should be followed in lodging a complaint or concern with the School.

#### 5.1. 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 would be an acceptable outcome.
- Check and observe this Complaints and Concerns Policy.

#### 5.2. Ways to lodge a complaint or concern:

- Complete a Complaints Form (a copy of which can be found in [Annexure 2](#)), a PDF of which is on the Complaints and Concerns page of the School's website, or can be emailed to you, or hard copies are available at the front office.
- Write an appropriate note 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).
- Consider speaking with the School's student wellbeing leader if appropriate.
- Arrange meeting times or phone calls through the school office.

#### 5.3. Who and how a complaint or concern shall be dealt with:

- The staff member who receives a complaint or concern (the "Complaint Recipient") shall acknowledge receipt back to the complainant, advise the complainant that a record of the complaint will be kept, and provide a copy of this policy.
- A copy of the complaint or concern shall be logged into the Complaints Register.

- The Complaint Recipient shall determine whether the matter is “serious” or “less serious” in accordance with the criteria in *Annexure 3*.
- If required, contact the complainant for more information to help assess the issues, allegations or seriousness of the matter.
- In assessing the complaint, one or more of the following processes may be used to help resolve it:
  - allow more time for resolution at the School;
  - provide assistance to reach a resolution through regional support;
  - arrange for an independent investigation;
  - where necessary, seek advice from the CEM and/or external agencies to determine how a complaint may be reviewed and whether other avenues of appeal/redress already exist.
- Ensure the Complaint Recipient is given a reasonable amount of time to take the steps required to resolve or address the concerns.
- Advise the complainant of any delays that may occur in the School’s ability to respond within a set time frame.
- Where it is considered appropriate, provide the complainant with an opportunity to respond to the matters raised prior to making a decision about the complaint.
- Where necessary, actively support the complainant with special needs through the complaint process.
- Provide the complainant with the results of the assessment of the complaint.
- Record the outcome of the complaint in the agreed system database.
- If the issue remains unresolved after discussion with the Complaint Recipient at the School, discuss the concern with the School Principal or Deputy Principal, through requesting an appointment with them through the School office.

Note that the School Principal may ask another senior staff member to represent them. Also, if the relevant staff member is going to be present at the meeting, the meeting time is more likely to occur outside classroom hours.

#### 5.4. Complaint resolutions

##### 5.4.1. *Less serious complaints*

Minor grievances and complaints should be resolved quickly through informal options, so that complaints are resolved closest to the source of the issue. These options may include:

- Self-resolution;
- Support self-resolution;
- Facilitated mediation.

Any matter that cannot be resolved by informal options, should progress to formal options as described below. These can be initiated by the Principal, Deputy Principal or a member of the Executive team.

##### 5.4.2. *Serious complaints*

Complaints and concerns deemed to be serious should be resolved as soon as possible using formal options, which may include:

- Intervention;
- Investigation.

The appropriate process will be initiated by the School Principal, the Deputy Principal or a member of the Executive team.

At times informal options, such as facilitation mediation, may be combined with formal options.

5.5. Complaint escalation

If the matter cannot be resolved at the school level through either informal or formal options, of if the complaint is about the School Principal, complainants may contact the Northern Region CEM office.

A flowchart of the procedures for how the complaint will be handled by the School can be found in [Annexure 1](#) of this document.

**6. Lodging complaints at the Catholic Education Melbourne regional office**

A complaint can be referred to the Northern Regional Manager via email or telephone:

Northern Regional Office -  
Cnr Howard & Rosslyn Streets  
West Melbourne, Vic, 3003

Ph: (03) 8387 3200

Email: [manager.nro@cem.edu.au](mailto:manager.nro@cem.edu.au)

**7. Lodging complaints at Catholic Education Melbourne**

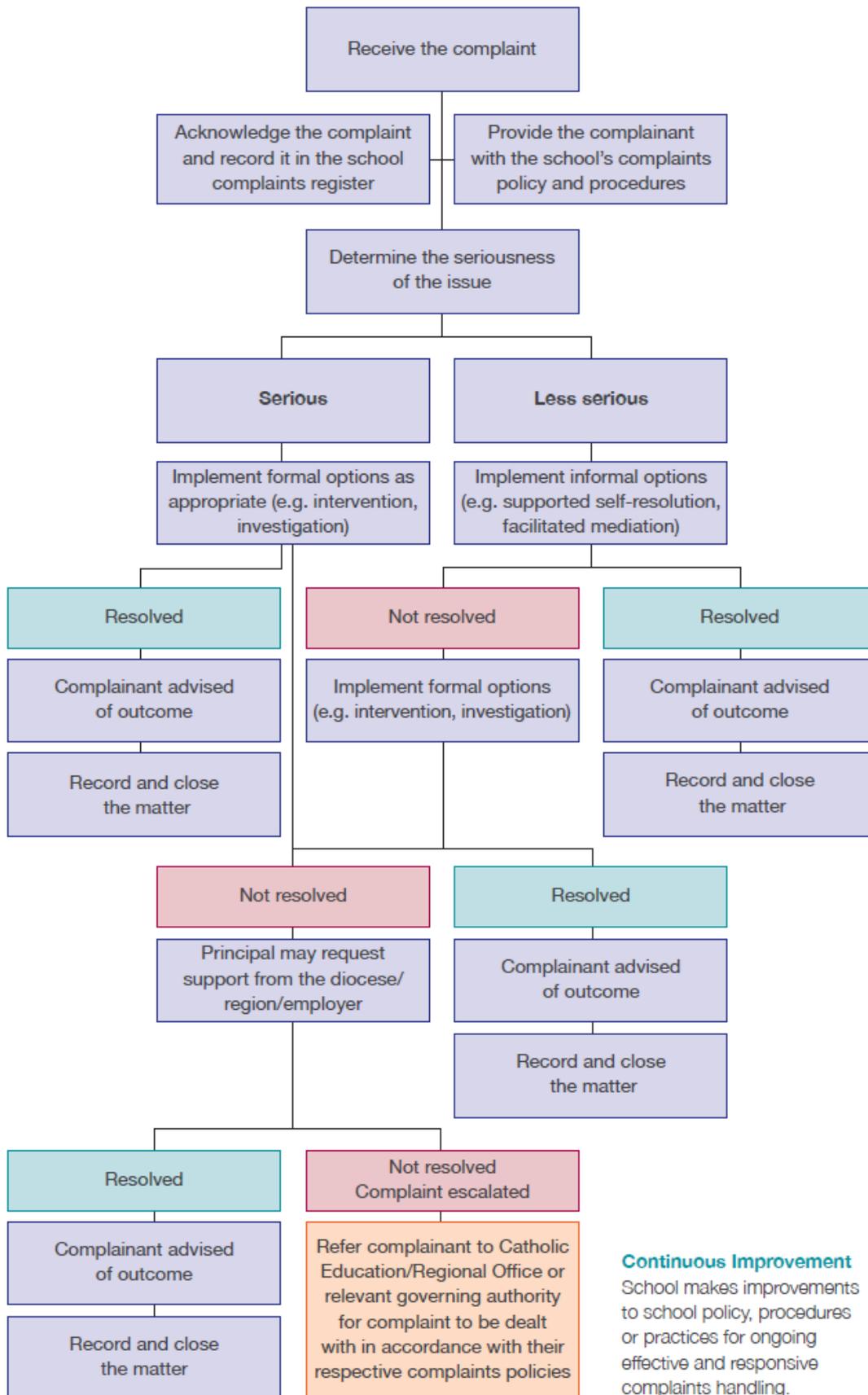
A complaint to CEM can be lodged by email via [www.cem.edu.au](http://www.cem.edu.au) 'Contact us'. Refer the feedback complaints form entitled **RESOLVE**.

The postal address for lodging complaints is:

**Executive Director  
Catholic Education Melbourne  
James Goold House, 228 Victoria Pde, East Melbourne  
(PO Box 3 Melbourne, Vic 3002)**

- CEM will acknowledge receipt of the complaint and issue a case number. It may also contact the complainant for more information to help assess the issues or allegations.
- Complex and sensitive issues may involve some delay in order to follow up enquires with the relevant parties.
- Complainants will be notified if major delays are expected and will be advised on the outcomes of its investigation.

## ANNEXURE 1 COMPLAINTS AND CONCERNS FLOWCHART



## ANNEXURE 2

## COMPLAINTS AND CONCERNS FORM

1. YOUR DETAILS	
First Name:	Last Name:
Address:	
Phone:	Email:
2. YOU ARE: <i>(please tick one)</i>	
<input type="checkbox"/> Student	<input type="checkbox"/> Parent/carer <input type="checkbox"/> Other: (specify)
3. SUBJECT OF THE COMPLAINT <i>(please tick all relevant boxes)</i>	
<input type="checkbox"/> School	<input type="checkbox"/> Staff member <input type="checkbox"/> Student <input type="checkbox"/> Policy/procedure
<input type="checkbox"/> Other <i>(please specify)</i>	
4. DETAILS OF THE COMPLAINT	
(please attach additional page/s if space is insufficient. You may also attach further documentation if you wish).	
5. DETAILS OF THE OUTCOME YOU ARE SEEKING	
(please attach additional page/s if space is insufficient)	
6. HAVE YOU PREVIOUSLY RAISED THIS CONCERN WITH A STAFF MEMBER? <i>(please tick)</i>	
<input type="checkbox"/> No	<input type="checkbox"/> Yes If yes, when?
Who dealt with the matter?	
What was the result?	
Signature:	Date:
School Office Use: RECORDING OF OUTCOMES	
Is a referral to the police required? Yes/No	
Is a referral to CCYP under the Reportable Conduct Scheme required? Yes/No <i>(if yes, indicate which category)</i>	
<input type="checkbox"/> Sexual offence	<input type="checkbox"/> Sexual misconduct <input type="checkbox"/> Physical violence <input type="checkbox"/> Significant emotional/psychological harm <input type="checkbox"/> Significant neglect
For matters which have been resolved:	
<input type="checkbox"/> Self-resolution	<input type="checkbox"/> Support self-resolution <input type="checkbox"/> Facilitated mediation <input type="checkbox"/> Intervention <input type="checkbox"/> Investigation
Actions taken:	
Outcome:	
Date matter finalised:	
Name of staff member:	Date:
For matters which need further action:	
Referred to: Name:	Date:
Referred to: Name:	Date:
Outcome:	
Name of staff member:	Signature:

## ANNEXURE 3

### CRITERIA FOR DETERMINING SERIOUSNESS OF COMPLAINT OR CONCERN

#### CONSIDERATIONS:

1. Is there a need for urgent action, especially if there are health or safety concerns for any person?
2. Could the complaint have serious consequences for the parties concerned, or others, resulting from a serious breach of legislation, school policy or procedure, relating to issues which include but are not limited to:
  - Student discipline
  - Bullying and harassment by students against other students
  - Student drug and alcohol issues
  - Damage/loss of personal property
  - Students requiring educational adjustment
  - Student wellbeing?
3. Is the issue complex and/or does it raise whole-school issues?
4. Are the parties unlikely to agree to informal resolution?
5. Is the complaint vexatious?
6. Is there potential for the complaint to escalate?

#### ACTIONS:

If the answer to any of these questions is **YES**, the matter can be considered as **serious**. Consult with the School Principal, the Deputy Principal or a member of Executive as needed. An investigation may be required.

If the answer to all of these questions is **NO**, the matter can be considered as **less serious**. Deal with the issue in the ordinary course of the Complaint Recipient's role, using informal options for resolution, or refer the complaint to the School Principal, the Deputy Principal or a member of Executive if you are unsure.

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<b>Responsible Officer</b>	School Principal
<b>Ratified By</b>	Executive Team
<b>Ratified and Commenced On</b>	
<b>Review Date</b>	August 2022, or upon each change in legislation or reference document
<b>Relevant Legislation and References</b>	<ul style="list-style-type: none"> <li>• Education and Training Reform Act 2006</li> <li>• Education and Training Reform Regulations 2007</li> <li>• Charter of Human Rights and Responsibilities Act 2006</li> <li>• Protected Disclosure Act 2012</li> <li>• Privacy Act 1988</li> <li>• Crimes Act 1958</li> <li>• Equal Opportunity Act 2010</li> <li>• Wrongs Act 1958</li> <li>• Disability Discrimination Act (DDA) 1992</li> <li>• Disability Standards for Education (DSE) 2005</li> <li>• Racial Discrimination Act 1975</li> <li>• Migration Act 1958</li> </ul>
<b>Related School Policies, Procedures and Documents</b>	<ul style="list-style-type: none"> <li>• Privacy Policy</li> </ul>
<b>Policy Application</b>	<input checked="" type="checkbox"/> School-wide <input type="checkbox"/> Specific: <input type="checkbox"/> Staff <input type="checkbox"/> Students <input type="checkbox"/> Families and Volunteers <input type="checkbox"/> All
<b>Policy Communication</b>	This school policy will be published on the school website once ratified, will be included in staff induction kits and hard copies provided upon request.
<b>Version Number</b>	001
<b>Amendments</b>	Transfer to new format General review of document
<b>Previous Version Details</b>	Not applicable



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