



SOURCES OF AUTHORITY

CEWA Policy	Stewardship
Executive Directive	Disputes & Complaints

AIM

Catholic schools can serve as models for all within Western Australia who seek to create genuine communities. Such communities are always founded upon shared commitment to the common good (Mandate, 6).

On occasions there may be a disagreement with a decision and a dispute or complaint may arise within a Catholic school. The interactions and protocols of Catholic schools emphasise the sacredness of human life and the dignity of the individual. Catholic Education is committed to ensuring that disputes and complaints are dealt with fairly, objectively and in a timely manner, and with processes which reflect the principles of participation, co-responsibility and subsidiarity.

SCOPE

This procedure applies to staff, students, parents and the wider community.

DEFINITIONS

Concern means an expression of dissatisfaction with St Joseph's School procedures, decisions, omissions, quality of service, staff or student behaviour.

Complaint means an expression of dissatisfaction with Catholic Education policies or School procedures, decisions, omissions, quality of service, staff or student behaviour, which has not been resolved by a meeting/discussion with the parties involved. There is a need to elevate this beyond the person to whom it was first addressed.

Dispute means a conflict regarding a right, claim, or demand on one side, met by contrary claims or allegations on the other.

Procedural Fairness means that a matter has been resolved to the satisfaction of Catholic Education in Western Australia with respect to the paramount importance of the student(s).

Students are defined as children and young people enrolled in schools and early learning and care services.

PRINCIPLES

- 3.1. All decisions are to reflect the paramount importance of the student(s).
- 3.2. Any person may complain orally or in writing about any matter arising from the operations of Catholic Education.
- 3.3. Complainants are personally responsible and liable for the content of their complaints.
- 3.4. A dispute or complaint made in accordance with this policy is a dispute or complaint about Catholic Education, notwithstanding the naming of any staff member in a dispute or complaint.
- 3.5. It is preferable that the complaint is verifiable, however if a complaint or any other information of unknown origin (i.e. anonymous) provides information that would cause the Principal concern, it should be considered by the Principal so that they can determine the appropriate course of action.
- 3.6. Disputes and complaints will be managed in accordance with the Principle of Subsidiarity, which requires that nothing should be done by a higher authority, agency or level that could be done as well or better by a lower one.
- 3.7. Disputes and complaints, and the resolution of such, contribute to continuous learning and improvement so that the potential and opportunity for incidents to be repeated are minimised.
- 3.8. Any review of a dispute or complaint will be based on procedural fairness.
- 3.9. Information in a complaint should only be disclosed to those parties who have a need to know in order to investigate and resolve the complaint.

3.10. Once a decision has been made, parties may request a review of the decision in accordance with Procedures, including escalating the dispute or complaint to the Executive Director of Catholic Education in WA and / or Congregational Leader or employer.

PROCEDURES

4.1. Information about the process for dealing with disputes and complaints must be made readily available to parents, students and staff. This can be via a range of media; it will be available on the school website and typically included in the Parent Handbook.

4.2. A dispute or complaint can be made by any person regarding the provision of education or related matter. Depending on the nature and level of the complaint, it should be made in writing. Where an immediate party cannot be identified, such as if it is anonymous or from an unverifiable source, the information should be assessed and duly considered.

4.3. Where there is an appropriate Catholic Education Commission of WA policy statement that provides a specific mechanism for addressing the dispute or complaint, that policy statement shall be followed.

4.4. Where there is a binding legislative or regulatory mechanism (including an Enterprise Bargaining Agreement) that addresses the issue raised in the dispute or complaint, that legislative or regulatory mechanism shall be followed.

4.5. When a dispute or complaint arises, the immediate parties involved should attempt to resolve the issue in the first instance.

4.6. Parties may involve a support person(s) to assist them in resolving the dispute or complaint.

4.7. Should a complainant be dissatisfied with the resolution as a result of involvement of the immediate parties, or if there are unique circumstances, the matter can be referred to the next level by the complainant, for example, to the principal.

4.8. The principal is responsible for the resolution of disputes or complaints within the school referred to them by the immediate parties, in accordance with procedural fairness.

4.9. Where a dispute or complaint is about the principal and there is not likelihood that it can be resolved directly with the principal, the immediate parties may refer the dispute or complaint to the School Improvement Advisor.

4.10. A principal must be mindful of managing the wider effects that a dispute or complaint may have on the workplace beyond its resolution.

4.11. The principal may request external assistance and expertise (including mediation), including the involvement of the CEWA Employment and Community Relations Team to assist in the resolution of a dispute or complaint.

4.12. The principal shall inform the complainant (unless anonymous) and relevant parties of the outcome of their decision.

4.13. The principal shall maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable this will include any statements made by the parties involved.

4.14. Any party may request a review of the principal's decision, in writing, to the Executive Director of Catholic Education and/or Congregational Leader or employer.

4.15. The Congregational Leader or employer of the order or other accountable school will review the dispute or complaint or may request through the Executive Director of Catholic Education, that the CEWA undertake the review.

4.16. The dispute or complaint shall be promptly acknowledged in writing unless the complainant is anonymous and cannot be identified.

4.17. The Executive Director of Catholic Education shall ensure a formal examination and investigation of the complaint and/or areas of disputation.

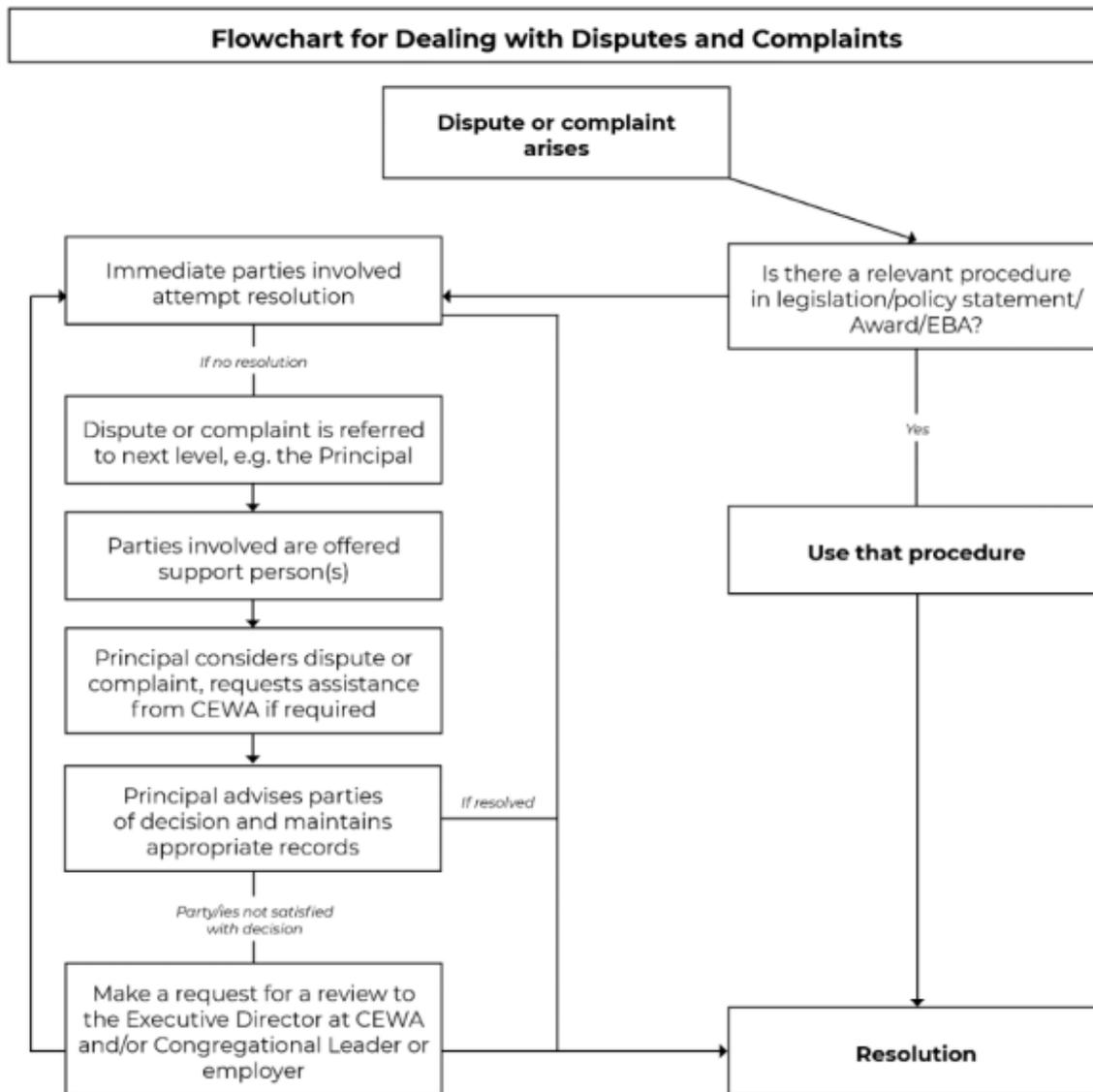
4.18. The parties to the dispute or complaint shall be notified of the finding(s) of the dispute or complaint, including the basis of the finding(s). There is no duty to notify an anonymous complainant.

An individual has the right to make an appeal to the Minister for Education about a dispute or complaint (School Education Act 1999). An appeal will only be heard on a breach in process and will not be a re-examination of the merits of the case. A person may make a complaint to an external body or tribunal at any time. The relevant person (i.e. the principal) may choose to suspend addressing the complaint until the external body or tribunal rules on the complaint, or the external complaint is directed back to Catholic Education for resolution.

The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is

available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, they do not have the power to intervene in a complaint or override the school's decision.

Flowchart for dealing with Disputes and Complaints



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		Date: 31 Oct 2021	
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Dispute & Complaint Resolution

Frequently Asked Questions

I don't want to complain as such, but there is something I am concerned about or wish to offer feedback on

The School is here for you and your child, and we want to hear your views and your ideas. It is better to raise issues early, before they become bigger. Contact the School via, phone, email or the feedback form on the School App and Website.

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school, as we are here to help.

How should I offer feedback or raise a concern?

When you contact the School, ask to speak to the appropriate staff member. If you are unsure who to speak to, be as clear as possible about what the issue is, and the receptionist will connect you to the relevant person.

Members of staff are happy to help. It may be best to start with the person most closely concerned with the issue – for example, to raise academic or general progress with the Class teacher (Primary), Cluster Leader (Primary) Home Room Teacher (Secondary), Subject Teacher (Secondary), House Coordinator (Secondary), Head of Learning Area (Secondary). They should be able to sort things out quickly.

However, you may prefer to take the matter to a more senior member of staff: Head of Primary, Head of Secondary, Teaching & Learning Coordinator (for academic matters Years 7-12), Religious Education Coordinator K-12 or Principal.

Steps in raising a concern

1. Speak or write to the person involved (e.g. classroom teacher, home room teacher, coach)
If not resolved, then
2. Speak or write to the relevant department leader (e.g. Cluster Leader Pre K-Yr 2, Cluster Leader Year 3-6, House Coordinator or Head of Learning Area)
If not resolved, then
3. Speak or write to a member of the College Leadership Team (e.g. Head of Primary, Head of Secondary, Teaching & Learning Coordinator 7-12, Religious Education Coordinator or Business Manager)
If not resolved, then
4. Speak or write to the Principal

Complaints About Child Safety Incidents or Concerns At or Involving the School or its Staff Members

Complaints about or allegations of breaches of the Child Safe Codes of Conduct; child abuse, grooming or other harm of a current or former student by current or former staff members, current or former students other people on School premises or at School events are managed by the School in a different manner from other complaints. This is because of the additional confidentiality and privacy requirements surrounding these kinds of matters. We refer to these as child safety related complaints. If your complaint is a child safety related complaint, please make your complaint to: the Principal, Andrea Woodgate, on 08 9621 3500 or at andrea.woodgate@cewa.edu.au, or, if this person is the subject of your complaint, please notify the School Improvement Advisor, Kelly Smith or Kelly.Smith@cewa.edu.au

I am not satisfied with the response I have received so far and I wish to make a complaint

A complaint will be treated as an expression of genuine dissatisfaction that needs to be addressed consistently and given a response. The School follows the Dispute and Complaint Resolution Executive Directive (link can be found on our School website). In general, the School abides by the following principles:

1. Individual cases will be considered on their merit
2. All cases will be treated with appropriate confidentiality
3. Parents or the community have the opportunity to raise matters with members of staff with whom they feel comfortable or can address the matter
4. All complaints raised will be dealt with as a matter of urgency

5. Any complaint made will be given due time to allow for the issue to be carefully understood and considered by all parties concerned
6. The Principal may delegate authority in these matters to other members of staff, such as, Heads of School, House Coordinator, Heads of Learning Areas, Cluster Leaders.
7. If the complaint is of a highly serious nature, the Principal will inform the Chair of the School Advisory Council.

What will happen next?

If you raise something or make a suggestion face-to-face or by telephone, it may be possible to resolve the matter immediately.

If you have raised a concern or made a complaint in writing or on-line, we will contact you as soon as possible to respond to your concerns and explain how we propose to proceed.

In many circumstances, the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given a date by which time you will receive a response. If a detailed exploration of the issue is needed, a letter or report will be sent to you as quickly as possible. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

What happens about confidentiality?

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chair of the School Advisory Council may also need to be informed. It is the School's policy that complaints made by parents will not rebound adversely on their children.

In some circumstances it may be necessary to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it becomes necessary to refer matters to the authorities. You would be fully informed.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints might not be pursued.

Any action would be handled confidentially within the School.

What if I am not satisfied with the outcome of a complaint?

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

Should this not be the case, the Principal will offer to refer the matter to the School Improvement Advisor (SIA). Alternatively, you may wish to write directly to the SIA via the School. This should be marked "confidential" and addressed to: The School Improvement Advisor, St Joseph's School, 1 Lance Street, Northam WA 6401

The SIA will call for a report from the Principal, and will examine matters thoroughly before responding. A positive solution will hopefully be achieved, but if it does not, the SIA will invite you to a meeting. You may wish to be supported by a friend, but legal representation would not be appropriate at this stage.

The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaint handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have the power to intervene in a complaint or override the school's decision.

The School recognises and acknowledges your entitlement to express your concern and we hope to work with you in the best interests of the young people in our care.