

## **Brigidine College St Ives**

### **Complaints and Grievance - Parents Policy Reference/Version – 1009-2**

#### **Policy**

Brigidine College St Ives seeks to resolve difficulties, grievances and complaints in a prompt, impartial and just manner. Brigidine College St Ives recognises that at times there may be deficiencies in policy or behavior that require action.

#### **Purpose**

Complaints are addressed in a timely and confidential manner at the appropriate management level, in order to prevent minor problems or concerns from escalating. The dignity of each person involved will be recognised in the process. All parties should act respectfully and maintain confidentiality on the matter.

While members of staff are professional educators, whose aim it is to promote the learning and personal development of all students and help them achieve their personal best, it is acknowledged that there may be occasions when a parent perceives that:

- their child has received an unfair or inappropriate response to a behavioural issue; or
- their child's relationship with a teacher is jeopardising their learning or
- an academic result does not correspond to the level of effort and/or ability put into a task.

In cases such as these, the need to have in place a set of procedures by which a parent may seek review of that matter is essential. One of the key aims of this Policy is to maintain good relations between all parties. This Grievance Policy provides a process by which grievances can be resolved. It is based on the principle and procedures of Due Process, which includes among other things:

- informing the community about the working of the Policy
- providing all parties with a fair and complete hearing
- enacting consequences which are consistent, fair and commensurate with the seriousness of the matter
- having in place a system of appeal.

#### **Guiding Principles**

- All members of the school community will be informed of the Grievance Policy and its procedures
- The focus for resolution of a grievance will be upon an issue, not an individual
- All individuals will be treated fairly and impartially
- All individuals will have a right to present their case fully and openly, and without fear of retribution
- All individuals will have the right to a support person present at meetings
- All individuals have the right of confidentiality
- Grievance issues will be dealt with one at a time
- Grievances are to be lodged within a period of five days from formal notification of an academic result or a consequence
- Resolution of any grievances will be achieved as quickly as possible
- Grievance resolution will involve the minimum number of people
- Parties will be encouraged to resolve the matter together in the first instance.

**Persons Responsible**

Principal

Approval by: Principal

Approval date: 25/4/2022

Next review date: 30/4/2025

Version control: replaces 1009-1

## **SUPPORTING INFORMATION AND PROCEDURES – COMPLAINTS AND GRIEVANCES**

This is the framework that will govern a complaint you may wish to make. Through this policy the College will:

- improve the level of parent satisfaction with BCSI, and the relationship of parents and families with BCSI and teachers
- respect and recognise the innate dignity of each person in any way involved with BCSI
- recognise the rights of a person who is the subject of a complaint (the respondent)
- protect the confidentiality of both responder and the respondent
- recognise and protect the right to comment and complain
- provide an efficient, fair and accessible mechanism for prompt investigation and resolution of complaints in accordance with the principles of natural justice
- ensure, so far as is reasonably practicable, information is available on the complaints handling process
- enable the nature of complaints to be monitored to improve the quality of services by identifying and rectifying practices that may be impeding the quality of services
- ensure, so far as is reasonably practicable, that the complaint handling process is transparent and comprehensive
- that the complaints handling process is accessible and additional assistance may be available to you if you are from a culturally and linguistically diverse background, have a disability or are a young person
- treat anonymous complaints differently as they do not reflect the principles outlined above. If you make an anonymous verbal complaint to the College you will be encouraged to identify yourself in order for the procedures outlined in this policy to be implemented fully. If you choose to remain anonymous, then in the case of verbal complaints you will be informed that the complaint may not be acted upon.

### **Child Protection Matters**

Note that the position with regard to child protection matters (not covered by the Complaints Handling Policy and Procedures) may be different (see below). This policy is to be read in conjunction with the College's Child Protection Policy and Procedures (see College website).

Where any parent or student has concerns regarding the conduct of staff in relation to child protection concerns, they are advised to contact the College Principal or Deputy Principal immediately and directly via email or phone call. The concerns could be related to any of the following areas -

#### **Definition of Reportable Conduct**

Reportable conduct is defined as:

- a) any sexual offence or sexual misconduct committed against, with, or in the presence of a child (including a child pornography offence or an offence involving child abuse material);
- b) any assault, ill-treatment or neglect of a child; and
- c) any behaviour that causes psychological harm to a child whether or not, in any case, with the consent of the child.

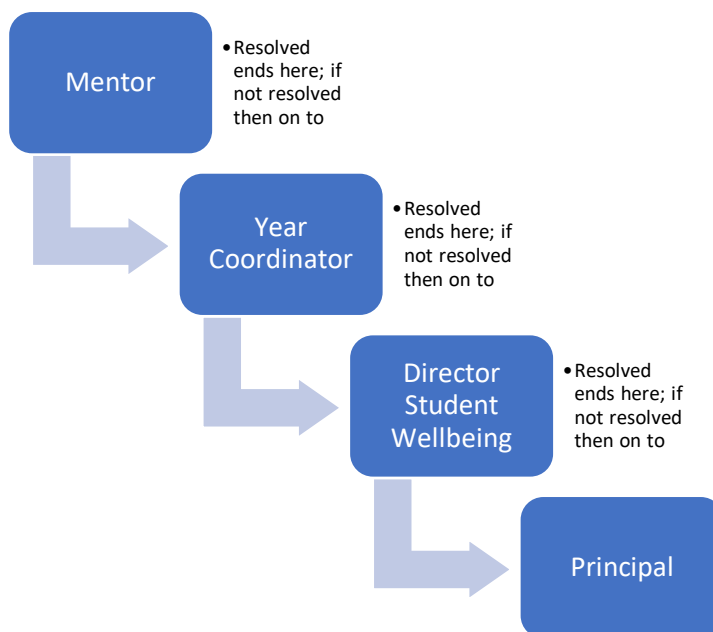
Reportable conduct does not extend to:

Conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards.

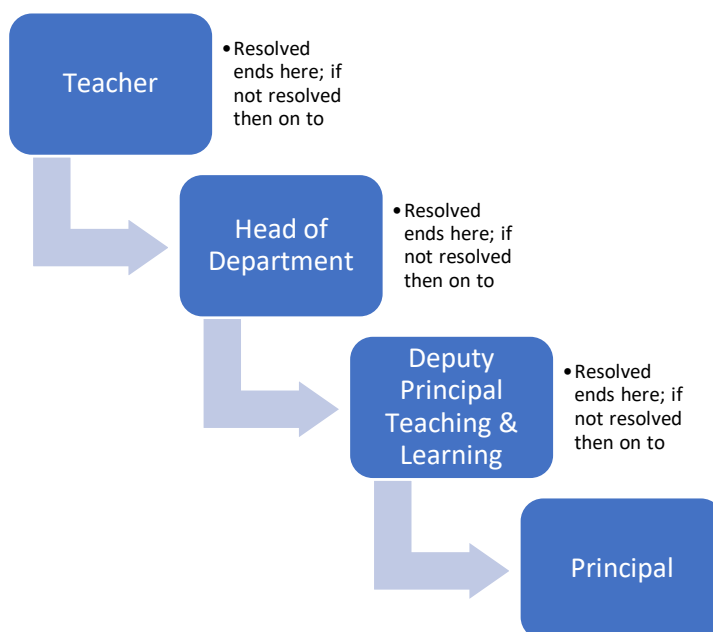
Note that these matters will be handled with confidentiality and thoroughly investigated in relation to NSW laws relating to child protection and safety.

### Summary of grievance Pathways

#### Personal or Pastoral



#### Teaching and Learning



### **To whom should you speak?**

- If you are a parent with a complaint about a student other than your own child you should raise it with the Director Student Wellbeing.
- If you are a parent with a complaint about a member of staff the issue should first be discussed with the relevant teacher, Head of Department or Deputy Principal.
- For parents with a complaint about BCSI, its decision making or policies (i.e. not a specific person), you should raise these with the Principal or relevant Deputy Principal.
- For parents with a complaint about the Principal or Board should raise these with the Principal, Board Chair or Kildare Ministries executive.

### **What constitutes a complaint?**

This procedure explains what to do if you have a complaint about any decision, behaviour, act or omission at BCSI.

A complaint is an expression of significant dissatisfaction with the policies, procedures or service provided by BCSI. Complaints may be oral or written. Written complaints include those sent by letter, fax or email. You could have a complaint about, for example:

- student disciplinary procedures
- homework
- damage/loss of personal property
- student bullying
- College management and College fees
- quality of teaching
- breach of privacy
- College resources
- work health and safety issues

Where students with special needs are involved in any aspect of complaint resolution every assistance will be given to them in keeping with their education plan to ensure, so far as is reasonably practicable, that they may fully engage with the procedures detailed in this policy.

### **If you believe you have a problem or concern**

The first step is to outline the behaviour that you believe is unfair or has caused concern to the person with whom you have an issue. This may be the easiest way of resolving your dissatisfaction if you feel comfortable speaking to the other person involved. You can explain what behaviour, decision, policy or action was unfair or caused you concern and why. Through discussion the issues may become clear and the parties have a chance to address the problem. Many concerns and complaints can be resolved at this level. If you choose to speak to the person it would be helpful if you could:

- describe clearly the action or behaviour that is objected to
- focus on the behaviour of the person not on their personality
- speak clearly and calmly
- state the outcome you are seeking.

Where you feel that you cannot approach the person directly or you are not happy with their response or reaction or the complaint is very serious, you should approach the relevant Deputy Principal with your complaint or concern.

### **How we go about resolving your complaint**

The first step with any complaint is to ensure, so far as is reasonably practicable, that the appropriate person is handling your complaint on the basis of subsidiarity. When this has been ascertained, the person handling your complaint will record details of the information you provide in support of your complaint, ask you what action you would like taken in response to your complaint and explain to you how the complaints procedure works. In the event that you wish to make a formal complaint then the following steps are undertaken.

The person handling your complaint will:

- invite you to bring a support person with you to any meeting that you are invited to attend to consider your complaint. Any person to whom your complaint relates will similarly be invited to bring a support person. The support person is invited to support and observe but not interrupt the meeting. The support person should not answer questions on your behalf and must maintain confidentiality about all matters discussed at the meeting.
- put the information received from you to the person about whom the complaint is made or to the person responsible for the particular area of school/college life to which the complaint relates and seek her/his response.
- if appropriate, interview any witnesses involved. This will be done carefully so as not to breach confidentiality.
- upon considering all the information gathered, reach a conclusion and then advise you and any person to whom the complaint relates, of the outcome of the investigation.

### **What are the possible outcomes?**

If the complaint is upheld or sustained, the following are some possible outcomes depending on the nature of the complaint:

- an agreement between you and other parties
- a verbal or written apology
- the review of a policy or procedure
- mediation
- targeted professional development opportunity or training
- dissemination of information
- referral to counselling
- directions about further interaction between you and other parties to the complaint
- where a staff member is the subject of the complaint, disciplinary action may follow
- where a student is the subject of the complaint, a range of sanctions as set out in the BCSI discipline policy may be invoked.

If a complaint is not upheld or not substantiated (eg the evidence is insufficient on the balance of probabilities) but some issue comes out of the investigation that is required to be addressed then possible outcomes include:

- relevant training for staff or students
- monitoring of behaviour of staff, students or parents

- counselling for the parties involved
- mediation at local level
- review of policy or procedure.

If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the respondent the following are possible outcomes:

- counselling for one or more of the parties involved
- a verbal or written apology from you
- disciplinary action (where the person affected is a student or staff member).

### **What to do if you are not satisfied with the outcome at the conclusion of the College process**

Where a complaint has been dealt with at BCSI but you are not satisfied with the outcome, then you should speak to the Principal and explain your problem or issue. If the complaint directly concerns the Principal, then you may speak to the Chair of the Board ([board@brigidine.nsw.edu.au](mailto:board@brigidine.nsw.edu.au)).

### **Right of review**

If you have been involved with a complaint matter and you have concerns regarding the complaints process or believe the outcome to be unfair, you may refer the matter to the Principal or relevant Deputy Principal where the investigation process will be reviewed and a decision made as to whether these procedures have been followed and reasonably determined. Depending on the outcome of this investigation, either no further action may follow or there may be further consideration of the matter.

### **Record Keeping**

Records of complaints, interviews and other documentation relating to a complaint investigated at the College will be kept at the College in a restricted access file. These records must be kept permanently.