

1.06A

MERCY EDUCATION POLICY 1.06A COMPLAINTS MANAGEMENT

Rationale:

Mercy Education is committed to *justice* which necessitates resolution of conflict arising from complaints and grievances. When conflict arises, all who are associated with Mercy Education are called to show *respect* for others and to act with *compassion* and *courage*. Complaint resolution procedures provide the opportunity to promote *service*, develop understanding, prevent further issues and ensure just outcomes.

Definitions:

A complaint or grievance relates to a perception of unjust treatment that causes resentment and is seen as grounds for action; such a complaint could be judged eventually as justified or not.

The complainant is the person raising the concern.

The subject of the complaint is the person, persons or organisation against which a complaint is made.

Grievances can be between any combination of parents, staff, volunteers, students, Principals and Board Directors.

Policy Statement:

- A01 Mercy Education acknowledges that the nature of school communities will inevitably, at times, lead to a lack of harmony where some individuals or groups will consider that their rights or responsibilities are being eroded.
- A02 As the delegated authority for schools governed by Mercy Education, the Board of Mercy Education will be ultimately responsible for investigation of complaints concerning Mercy schools.
- A03 All Mercy Education schools require policies and procedures allowing members of the school community to express complaints and seek remedies. Such documents should:
- include the contact details of the relevant personnel
 - be readily available to parents, students and staff
 - be in alignment with this document (1.06A) and the associated procedures document (1.06B)

- A04 Complaints related to the performance, professional practice or behaviour of the Principal of a school governed by Mercy Education will be managed by the Board of Mercy Education in accordance with this policy and the associated procedures.
- A05 Complaints relating to either the Board or staff of Mercy Education will be managed in accordance with this document (1.06A) and the associated procedures document (1.06B) by the relevant responsible person.
- A06 The Leadership team of the Institute of the Sisters of Mercy of Australia and Papua New Guinea will be informed of serious complaints or complaints against the Board of Mercy Education or the Principal of a school governed by Mercy Education.
- A07 Complaints will be responded to in a prompt, impartial and just manner.
- A08 Conflict resolution processes will reflect the principles of participation, co-responsibility and subsidiarity.
- A09 Complaints will be initially responded to at the lowest possible level, taking into account the seriousness of the complaint, and escalated if and when a satisfactory resolution is not obtained. Mercy Education acknowledges that most complaints are dealt with most effectively at the school level. This may be modified by the nature of the grievance and the wishes of the person who is seeking a resolution of the grievance. Mercy Education has a role where this has not proved satisfactory or is not appropriate due to the sensitivity of the issue.
- A10 Complainants will be encouraged to address their issues with the subject of their complaint personally in the first instance without third party involvement. Assistance will be provided where appropriate.
- A11 Wherever possible, grievances should be resolved by a process of discussion, cooperation and conciliation. The aim is to reach an acceptable outcome that minimizes any potential detriment to ongoing relationships.
- A12 Both the person raising complaint and the subject of the complaint will receive appropriate information, support and assistance in resolving the grievance.
- A13 No person will be victimized because they raise a complaint or are associated with a grievance.
- A14 Members of a school community should not instigate complaints that are frivolous, vexatious or malicious. All individuals are expected to participate in the complaint resolution process in good faith.

- A15 All signed, written complaints addressed to Mercy Education Limited, Principals or staff of Mercy schools will receive a response.
- A16 In the case of an informal verbal complaint, the complainant will be encouraged to document the issue. If this does not occur, the complaint will be assessed as to whether it merits further investigation.
- A17 Information in an anonymous complaint will be assessed as to whether it merits further investigation. The complaint and any action taken will be documented.
- A18 A non-judgemental and non-adversarial, restorative approach will be taken to resolving complaints and grievances. Parties will work together with respect and openness to reach fair and reasonable decisions.
- A19 Procedural fairness will be followed in all aspects of complaint handling, including:
- Giving the complainant the opportunity to present their case
 - Informing the subject of the complaint that it has been received and what the allegations are
 - Giving the subject of the complaint an opportunity to respond
 - Advising all parties of the outcome of the investigation
 - Informing parties of any avenue of review
- A20 Complaints and their resolution will be fully documented.
- A21 Complaints will be handled in a manner which is consistent with current Australian legislation and practice and relevant industrial agreements.
- A22 Mercy Education and the Principal are mindful of the impact any complaint or dispute may have upon a school in addition to its resolution, and will take steps to address this.
- A23 Appropriate levels of confidentiality will be adhered to at all times. Complainants should be advised that for legal reasons absolute confidentiality may not always be possible. These reasons include but are not limited to, duty of care, workplace health and safety and mandatory reporting.

Associated Procedures:

Procedure 1.06B: Complaints

Related Documents:

Occupational Health and Safety Act (2004)

Mercy Education Limited Code of Conduct

BDSAC External Complaints Handling Policy 2013



CECV Occupational Health and Safety Guidelines
CECV Anti-Bullying Guide and Policy
CECV Social Media Policy

Catholic Education of Western Australia Policy 2-D1 Dispute and Complaint Resolution
Catholic Education South Australia Responding to Concerns, Complaints, Grievances and Allegations of Misconduct Policy

Review History

Nil

Next Review

2021