

# 1.06

## MERCY EDUCATION POLICY

### 1.06 COMPLAINTS MANAGEMENT

#### Introduction

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

#### Purpose

This policy outlines the principles for receiving and resolving complaints by Mercy Education.

#### Definitions

Complaint: an expression of dissatisfaction with a real or perceived issue at a school where a response or resolution is expected

Complainant: the individual raising the complaint

Subject of the complaint: the individual(s), or organisation against which a complaint is made

Whistleblower: An officer, employee or a contractor performing work or providing goods for Mercy Education and/or its schools, or an associate, relative or dependant of such an officer, employee or contractor, who makes a disclosure

#### Policy Coverage

This policy is relevant to the Mercy Education Board, to all employees of Mercy Education, its schools and their wider communities.

This policy does not cover:

- complaints that are of a child safeguarding nature. These complaints must be addressed in accordance with relevant child safety legislation and reporting obligations.
- complaints about work or employment conditions at Mercy schools. Complainants should handle these matters in accordance with relevant internal school policies and processes, or industrial agreements.
- whistleblower disclosures. These complaints or disclosures must be addressed in accordance with whistleblower legislation and the Mercy Education Policy 1.09 Whistleblower.

## **Policy Statement**

- 01 Mercy Education acknowledges that the nature of its 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
- 02 As the delegated authority for schools governed by Mercy Education, the Board of Mercy Education is responsible for investigation of complaints concerning Mercy schools
- 03 All Mercy Education schools require policies and procedures allowing employees and members of the school community to express complaints and seek remedies
- 04 Complaints related to the performance, professional practice or behaviour of the Principal of a school governed by Mercy Education; the staff of Mercy Education National Office; the Chief Executive of Mercy Education; a Director of Mercy Education; or the Board Chair of Mercy Education will be managed by the appropriate line manager in accordance with this policy and the associated operational instructions.
- 05 The Trustee Directors of Mercy Ministry Companions will be informed of serious complaints against any member of the Board of Mercy Education
- 06 Mercy Education commits to the following principles:
  - Complaints will be responded to in a prompt, impartial and just manner
  - Conflict resolution processes will reflect the principles of participation, co-responsibility and subsidiarity
  - Complaints will be initially responded to at the lowest possible level of the relevant entity (school; Mercy Education), considering the seriousness of the complaint and escalated if a satisfactory resolution is not obtained.
  - Both the person raising complaint and the subject of the complaint will receive appropriate information, support and assistance in resolving the complaint
  - No person will be victimised because they raise a complaint
  - A non-judgemental and non-adversarial, restorative approach will be taken to resolving complaints. Parties will work together with respect and openness to reach fair and reasonable decisions.
  - Procedural fairness will be followed in all aspects of complaint handling
  - Complaints and their resolution will be fully documented and stored by the relevant school or Mercy Education
  - Complaints registers will be maintained at schools and at Mercy Education according to the relevant School Registration Standards compliance requirements
  - Complaints will be handled in a manner which is consistent with current State or Federal legislation and relevant industrial agreements
- 07 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.
- 08 If a satisfactory outcome cannot be achieved, Mercy Education will provide the complainant with options for having the decision reviewed or mediated by a third party or an external agency
- 09 Mercy Education and the Principal are mindful of the impact any complaint has upon a school in addition to its resolution and will take steps to address this

- 10 Appropriate levels of confidentiality will be adhered to at all times, and any personal information disclosed will be treated as confidential as per the Mercy Education Privacy Policy available at [www.mercy.edu.au](http://www.mercy.edu.au). However, 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.

### Related Documents

Diocese of Ballarat Catholic Education Limited (DOBCEL)

- *Complaints Management Policy DEC 2020*

Catholic Education Commission Victoria (CECV)

- *Anti-Bullying Guide for Principals and Leaders 2019*
- *Social Media Policy Template 2014*

Catholic Education Sandhurst Limited (CESL)

- *Complaints Management – Schools Policy JUN 2021*

Catholic Education South Australia (CESA)

- *Grievance Response and Resolution Procedure APR 2021*
- *Complaint Response and Resolution Procedure NOV 2020*

Catholic Education Western Australia (CEWA)

- *Dispute and Complaint Resolution Executive Directive FEB 2021*

Legislation

- *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.)*
- *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)*

Melbourne Archdiocese Catholic Schools Limited (MACS)

- *Complaints Handling Policy SEP 2022*

Mercy Education Limited (MEL)

- *1.06 Operational Instructions: Complaints Management*
- *1.07 Privacy Policy*
- *1.09 Whistleblower Policy*
- *1.10 Policy: Codes of Conduct*
  - *1.10a Policy: Code of Conduct – Employees and Volunteers*
  - *1.10b Policy: Parent Code of Conduct*
- *6.09 Policy: Child Safety*

### Review History

Version	Date Approved	Next Review	Author	Approved
1.0	Nov 2015	January 2020	MEL Executive	MEL Board
2.0	May 2020	January 2023	Chief Executive	MEL Board
3.0	February 2023	February 2026	Chief Executive	MEL Board