



# St. Theresa's Albion Complaints Policy

## Vision Statement

*St. Theresa's Albion, a school that welcomes families into an inspiring Catholic community dedicated to excellence in education and to social justice.*

- We value the partnership which exists between parish, school, parents and wider community and its integral role in realising this vision.
- Part of our Mission is to share the responsibility for all children in the school and to work in partnership with the home.
- Our Mission calls us to act with integrity, respect, authenticity, presence and responsibility, acknowledging the richness and diversity of each other, and to live harmoniously, equitably, justly and sustainably for the common good.

## 1. Rationale

St Theresa's School is 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. Catholic teaching emphasises the primacy of parents as the first teachers of their children. Within the reality of the schooling experience, it is recognised that from time to time misunderstandings and differences of opinion will occur, and that these need to be resolved satisfactorily in partnership with the stakeholders involved. Addressing such matters within a framework of dignity, respect and truth can provide powerful opportunities to model the love of Christ in the reality of our contemporary world.

## 2. Scope

This policy outlines St Theresa's complaints resolutions process. This policy **does not** relate to critical incidents, emergency management, criminal offences, conduct of religious clergy or other religious persons.

## 3. Definition

A complaint is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue at a St Theresa's school.

## 4. Guiding principles

In receiving and responding to complaints, the following guiding principles will inform and direct St Theresa's actions:

- complaints are best received and managed at the school level, with the parties involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties
- complainants can expect their concern or complaint to be responded to in a respectful and timely manner
- schools and staff members will be informed of formal complaints that are made about them
- complainants and the person(s) against whom the complaint is made have the right to be heard and to expect that procedural fairness will be observed
- confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the complaints resolution process
- the complaints resolution process will seek to achieve the restoration of good and respectful relationships
- the best interests of the school community will generally exceed those of any individual.



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## 5. Complaints against teachers and staff

The nature of the complaint will determine who is the most appropriate person or body to manage a complainant's concerns.

### 5.1 Misconduct or serious misconduct

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported to the principal of the school. 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 principal of the school may help to determine the appropriate course of action in these circumstances.

### 5.2 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.

For further information, refer [Policy- Child Protection – Reporting Obligations](#)

### 5.3 Complaints against The Principal

In the case of complaints involving the principal of St Theresa's primary school, the Parish Priest ('the employer') Fr Barry Hughes and the manager of the Catholic Education Melbourne Western Regional Office should be informed immediately. Contact details are listed below.

## 6. Complaints against clergy or other religious persons

If the complaint relates to the clergy or other religious persons of a Catholic primary school, 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.

## 7. Anonymous complaints

St Theresa's School endeavours to address and respond to all complaints. Complaints that are made anonymously or without sufficient detail being provided to enable an investigation or resolution of the matter obviously are unable to be addressed or responded to. To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them, and be given an opportunity to respond to them.

## 8. Procedures for complaints about issues arising at St Theresa's School

### 8.1 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 the school's complaints policy or guidelines.

### 8.2 Communicate your concerns:

- 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.
- Ensure the relevant person(s) is given a reasonable amount of time to take the steps required to resolve or address the concerns.

### 8.3 Contact the principal or assistant principal

- If the issue remains unresolved after discussion with the relevant person(s) at the school, discuss the concern with the principal or assistant principal.
- Request an appointment with the principal or assistant principal through the school office.



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•Note that the principal may ask another senior staff member to represent her/him. 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.

## 8.4 Complaint escalation

If the matter cannot be resolved at the school level, or if the complaint is about the principal of the school, complainants may contact the Parish Priest and/or the CEM Western Regional Office.

## 9.Role of Catholic Education Melbourne Western Regional Office

The role of the CEM regional office is to provide advice to:

- schools, along with support, when they are responding to complaints
- complainants when they are seeking to make a complaint at their school.

CEM regional offices will generally not respond to a complaint and/or become involved when:

- issues have not been raised with the school
- the school is continuing to address the issues in the complaint
- issues raised are the responsibility of the school (e.g. school uniform, tuck shop duty, school parking).
- The issues raised should be able to be resolved at the school level.

### 9.1 Responsibilities of the Regional Office

CEM Regional Offices are responsible for responding to complaints when:

- a complainant is not satisfied that a matter has been addressed in accordance with the school's complaint-handling processes
- a complainant is not satisfied that an acceptable resolution has been reached
- the subject of the complaint relates to policy outside the responsibility/management of the school
- a school requests assistance to resolve a complaint
- the subject of the complaint is the principal of a school.

### 9.2 Actions to be taken following receipt of a complaint

Following receipt of a complaint, the regional manager (or delegate) will:

- acknowledge receipt of a written complaint as soon as possible, ensuring the complainant is aware of CEM's complaints handling procedures.
- record the complaint in the agreed data management system to ensure the complaint can be tracked
- advise the complainant that a record of their complaint is being maintained
- provide the complainant with a case number that should be used for all further communication
- contact the complainant for more information to help assess the issues or allegations
- assess the complaint, which may result in undertaking one or more of the following processes 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 appropriate business units within CEM and/or external agencies to determine how a complaint may be reviewed and whether other avenues of appeal/redress already exist
- inform the principal of the receipt of the complaint and provide an opportunity for the principal to respond to the issues raised.
- advise the complainant of any delays that may occur in the region's ability to respond within a set timeframe
- where it is considered appropriate, provide the complainant with an opportunity to respond to the principal's response 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 and the principal of the school with the results of the regional office's assessment of the complaint
- record the outcome of the complaint in the agreed system database.

### 9.3 Possible outcomes of a complaint to the CEM regional office

The CEM regional office assessment may result in advice provided to the school for action. The suggested actions could include providing the complainant with:

- an apology or expression of regret
- formal communication of a change of decision, policy, procedure or practice
- the provision of counselling or other support
- an explanation of:
  - how the decision taken is consistent with school policy
  - how the decision taken is supported by an external agency that specialises in the area under consideration
  - how CEM policies and guidelines are reflected in and supportive of the decision.



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It is not the role of CEM to 'sanction' or 'punish' a school or to disclose details of disciplinary proceedings relating to its employees. Privacy laws may prohibit information being provided to the complainant of any specific action that has been taken in relation to individuals about whom the complaint has been raised.

## 9.4. Lodging complaints at the CEM regional office

A complaint can be referred to the regional manager via email or telephone as per contact details below:

### Western Regional Office

47 Synnot Street  
WERRIBEE VIC 3030  
Ph: (03) 8412 2400  
Email: [manager.wro@cem.edu.au](mailto:manager.wro@cem.edu.au)

## 10. Role of Catholic Education Melbourne – East Melbourne

CEM (East Melbourne) is responsible for:

assisting schools to meet all obligations as required by law as well as internal policy

responding when the complainant believes that:

- their complaint has not been managed by the regional office in a fair, effective and timely manner
- the response by the regional office to the complaint is unsatisfactory.
- ensuring information concerning complaints resolution is readily available for complainants and regional staff.
- ensuring training in relation to the management of complaints is available to school and regional staff.
- providing advice and support to schools and the regions with regard to their complaint-handling processes. CEM will not respond to a complaint and/or become involved when:
  - issues have not been raised with the regional office
  - the regional office is continuing to address the issues in the complaint.

CEM will, in conjunction with the Regional Manager, carefully assess complaints based on all the relevant information provided and will endeavour to address the complaint within its responsibilities.

CEM may undertake one or more of the following processes to help resolve it:

- allow more time for resolution at the regional office
- provide assistance to reach a resolution through regional support
- refer to external agencies where appropriate.
- arrange for an independent investigation.

A complaint to CEM can be lodged by email via [www.cem.edu.au](http://www.cem.edu.au) 'Contact us'. Refer to the feedback complaints form entitled [RESOLVE](#) or by mail to The Executive Director Catholic Education Melbourne James Goold House, 228 Victoria Pde, East Melbourne (PO Box 3 Melbourne, Vic 3002)



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## 11. Related Legislation

The relevant legislative and regulatory framework for this policy includes:

Education and Training Reform Act 2006

Education and Training Reform Regulations 2007

Charter of Human Rights and Responsibilities Act 2006

Protected Disclosure Act 2012

Privacy Act 1988

Crimes Act 1958

Equal Opportunity Act 2010

Wrongs Act 1958

Disability Discrimination Act (DDA) 1992

Disability Standards for Education (DSE) 2005

Racial Discrimination Act 1975

Migration Act 1958

## 12. Reference

Catholic Education Melbourne. Policy 2.20. Complaints Policy. James Goold House, Melbourne, 2016.