

Resolution of Grievances Policy

The following policy has been written with respect to the guiding principles of the St Aloysius College Mission Statement and Mercy Education Values.

St Aloysius College is a Child Safe School that acknowledges the duty of care owed to students. We commit to ensuring the safety and wellbeing of the children and young people in our care.

Policy Statement

At St Aloysius College, we are committed to building a school culture that features positive and respectful relationships. As a Mercy School, our values are inspired by the charism of Catherine McAuley and the Sisters of Mercy. As a Catholic school, these relationships are grounded in the values of the gospel, in particular the values of justice, compassion, reconciliation, truth and love. In keeping with Catholic social teaching, a respect for the innate dignity of each person shapes all our relationships.

In building and nurturing this culture, we acknowledge that staff, students and parents/carers can sometimes feel aggrieved about something that may contravene the College's Mission and Values Statement.

All members of the St Aloysius College community are expected to treat each other with dignity and respect. When a grievance is lodged, it will be viewed as a serious matter and will be taken seriously and investigated in a timely manner. The reporting, investigation and appeals procedures are set out below. A staff member, parent/carer or student can make a complaint about any decision, behaviour, act or omission if it is perceived as contravening the College's Mission and Values Statement and policies. The College is mindful that our responses must comply with Ministerial Order 1359: Implementing the Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises.

Guiding Principles

The following values inform our Resolution of Grievances procedures:

Impartiality

If a complaint is made, it will be investigated in a fair and impartial manner. No judgements or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against a person, his/her rights will be protected, and the respondent will be given an opportunity to tell his/her side of the story.

Confidentiality

Any complaint under this policy, will remain confidential. The individuals who will have exclusive access to information about the complaint will be the complainant; the respondent and the person investigating. The only exception to this will be if, during the course of the investigation, another senior member of staff needs to be made aware that a complaint has been received and is being investigated. In such circumstances, the information revealed would be strictly limited to what is necessary and required for the matter to be properly resolved. Every effort will be made to ensure that the complainant is not victimised.

Timeliness

Each complaint will be finalised within as short a period as possible while allowing for thorough and fair processing of the matter. Every attempt will be made to finalise the complaint within four working weeks.

Accessibility

The Resolution of Grievances Policy is accessible via the College's website and a child friendly version is accessible via the College's Learning Management System (SEQTA).

Complaints involving St Aloysius students will be received and managed in a way that is child focused, culturally safe and sensitive to the diverse circumstances of students.

Handling/management of complaints

The following principles are observed when dealing with concerns or complaints:

- complaints of a school-based nature are best received and managed at the school level, with those involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties. Complaints that are unable to be resolved at the school level will be escalated to Mercy Education Limited (MEL).
- complaints are received and managed in a way that is culturally safe and sensitive to the diverse circumstances of students with disability or who may be vulnerable for other reasons. Support will be provided as appropriate to the circumstances of the student and the nature of the issue being raised.
- the College's complaints handling processes will respect the voice and views of students.
- students can be assured that they will be listened to and their complaint taken seriously, handled promptly and with sensitivity, respect and in an age-appropriate way.
- staff members and volunteers will be informed of formal complaints that are made about them.
- complainants can expect their concern or complaint to be taken seriously and to be responded to in a respectful, thorough and timely manner.
- both complainants and respondents 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 College's complaints resolution process.
- the College's complaints resolution process seeks to achieve the restoration of good and respectful relationships.

- the best interests of the school community together with the interests of the individual will be taken into account.
- record keeping, reporting, privacy and employment law obligations will be complied with when receiving and handling complaints, including concerns raised about the safety of children and disclosures of alleged abuse or harm of children, and the actions taken to respond.

What is a Complaint?

A complaint is an expression of dissatisfaction about an action taken, decision made, service provided or handling of an issue at St Aloysius College.

This policy does not relate to critical incidents, emergency management, criminal offences, the imposition of School Community Safety Orders, or the conduct of the clergy or other persons involved in religious ministry. This policy is not for use by staff or volunteers in relation to complaints about their workplace or employment conditions, however, can be referred to in circumstances where there is significant discord between staff or volunteers. In relation to School Community Safety Order Scheme, the internal review process regarding the decision to issue such orders will be outlined in the 'School Community Safety Order Scheme Review Process' document.

Note: While the handling of complaints or allegations of child abuse are outside the scope of this policy, they will be handled promptly and thoroughly and in accordance with the College's Child Protection and Mandatory Reporting Policy as well as the Child Safe Policy. These policies explain how the College will respond to such an allegation, including appropriate support for the student(s) involved and any actions that may be required in these circumstances.

Providing Feedback

St Aloysius College has procedures in place so that students, parents and the school community can raise concerns knowing they will be listened to and have their concerns professionally managed in a timely, confidential and appropriate manner. Initially, complainants are encouraged to raise the concern with the teacher or person whose responsibility it is to address the complaint.

There are a number of ways that feedback can be provided which include:

- students are encouraged to raise a concern with their teacher or trusted adult at the school
- annual formal parent/carer survey
- formally scheduled parent/ carer feedback forums
- meetings with the Principal or other staff members to express concerns

Embedding Students' Rights, Safety and Wellbeing into the Complaints Process

It is important that students know how to raise a concern, know who they can tell and be assured that they will be listened to and supported. The College's complaints process is flexible and responsive to the particular needs of students from a diverse range of backgrounds and to other factors that could make them hard to reach or more vulnerable. This takes into account the needs of male students who may feel vulnerable during the College's transition to becoming fully co-ed in 2028.

As part of the College's Wellbeing Program, age-appropriate conversations are had in relation to cultural safety and respect, being safe, feeling safe, and speaking up for oneself and others. Discussions

are held regarding respecting diversity, the College's zero tolerance for racism, as well as upholding equity for students and others in our community who may be vulnerable.

Students are encouraged to identify adults at school and in their environment whom they trust and may feel comfortable to raise a concern about themselves or others knowing it will be taken seriously and treated confidentially, as appropriate to the disclosure.

The College has a range of strategies to empower students to speak up which include:

- Pastoral Care and Respectful Relationships programs
- engaging students to develop age-appropriate child-friendly versions of the Resolution of Grievances Policy
- discussing circumstances that may constitute a reason for students to raise a concern/complaint and guidance on how to address it
- discussing the methods that students should use to raise a concern
- ensuring students know who to go to and that they will be listened to and supported

Support and Assistance

The nature of some complaints means they can be challenging and distressing to raise. This difficulty may be compounded when there are cultural sensitivities or linguistic barriers or where there are disabilities or other vulnerabilities. There is a range of support that can be provided in such circumstances so that all in our school community are empowered to speak up. These include:

- information about access to an appropriate support person or advocate
- referral to disability support services
- interpreters
- engaging with cultural groups
- counselling

For students, the type of support will be determined by the nature of the concern being raised, the student's age and maturity and any circumstances where the student may be considered vulnerable. In considering support services, particular consideration will be given to those professionally equipped to support children.

Where the nature of a complaint leads the school to believe the child may be at risk of harm, action will be taken to ensure the child is protected. The person dealing with the child must act once they have formed that view, and not wait until an investigation has been completed. The actions taken will be appropriate to the nature of the concern and in accordance with any mandatory reporting or legal obligations and the College's Child Safe Policy, as appropriate.

Who to Contact to Make a Complaint

The nature of the complaint will determine who is the most appropriate person or body to manage the concerns raised.

Complaints of a serious nature involving school staff should be directed to the Principal in the first instance. Additional information is provided below.

Complaints Relating to Misconduct or Serious Misconduct

All complaints of alleged misconduct or serious misconduct by a teaching or non-teaching staff member or volunteer should be reported to the Principal.

Complaints about teachers can also be reported to the Victorian Institute of Teaching (VIT) – 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 whether the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or 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 may help to determine the appropriate course of action in these circumstances.

Complaints Relating to Alleged Child Abuse (including sexual offences)

Child abuse includes any instances of physical or sexual abuse (including grooming), emotional or psychological harm, serious or significant neglect and family violence involving a child.

Complaints of alleged child abuse (including sexual offences) of children or school students should be reported to the Principal, or a trusted adult at the school if the complaint is being made by a student. In such cases, the College will consider what support may be appropriate for the student making the complaint and for any other student who may also need support as a result of the concerns raised. The type of support would consider the student's age, aboriginal or other cultural or linguistic backgrounds and any known vulnerability such as race, gender identity, diversity and disability.

There are legal obligations on all adults to report child abuse to police once a reasonable belief is formed that a sexual offence may have been committed against a child including where the alleged sexual offence may have been committed by another child.

Failure to disclose a sexual offence against a child is a criminal offence under section 327 of the Crimes Act 1958 (Vic.) (Crimes Act) and applies to all adults (18 years of age and over) in Victoria.

Communication with children under 16 years of age by teachers, staff or any other person to prepare or groom a child for future sexual activity is a criminal offence under section 49M(1) of the Crimes Act 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.

Complaints against the Principal

In the case of a complaint involving the College's Principal, Mercy Education Ltd (MEL) should be informed immediately. MEL contact details are provided at the end of this policy.

Complaints against the Clergy or Other Persons Involved in Religious Ministry

If the complaint relates to the clergy or other persons involved in religious ministry with St Aloysius College, the complainant should contact and seek advice from the Professional Standards unit of the Vicar General's Office in the Archdiocese of Melbourne, 383 Albert Street, East Melbourne. Visit www.melbournecatholic.org or contact 03 9926 5677. If the person is a member of a religious order, the

complainant should also contact the provincial head or Professional Standards Office of that congregation or religious order.

Anonymous Complaints

The College endeavours to address and respond to all complaints however in some situations, complaints that are made anonymously or without sufficient detail being provided to enable an inquiry or resolution of the matter may not be able to be fully addressed. To ensure procedural fairness, a person, about whom a complaint is made, has a right to know the details of the allegations being made against him/her and be given an opportunity to respond to those allegations. Where possible, the College encourages complainants to provide their names and to be reassured that complaints will be dealt with professionally, with respect and sensitivity, and in accordance with procedural fairness and confidentiality. If the complainant wishes to remain anonymous, the Principal will determine what, if any, action will be taken.

Anonymous complaints will be recorded in the same manner that all other complaints are recorded.

Complaints Relating to Information Sharing Schemes

St Aloysius College is a prescribed Information Sharing Entity (ISE) that may share information under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS).

The College, as an ISE, may receive complaints from individuals in relation to its conduct as an ISE under the CISS or FVISS. It may also receive a complaint from another ISE.

The following information is recorded where a complaint is received under the CISS or FVISS:

- the date the complaint was made and received
- the nature of the complaint
- the action taken to resolve the complaint
- the action taken to lessen or prevent the issue from recurring
- the time taken to resolve the complaint
- further action taken if the complaint was not resolved.

Complaints Relating to Reportable Conduct

Legal obligations are imposed on the Chief Executive of Mercy Education Ltd as Head of Entity to report to the Commission for Children and Young People (CCYP), and investigate allegations of reportable conduct, where those allegations are based on a person's reasonable belief that reportable conduct or misconduct involving reportable conduct has occurred. Reportable conduct includes the following:

- sexual offences against, with or in the presence of a child
- sexual misconduct against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- behaviour that causes significant psychological or emotional harm
- significant neglect.

Complaints relating to a reportable conduct allegation which meets the requisite threshold, and which involves a St Aloysius employee (which amongst others, can include a teacher, Principal, non-teaching staff, volunteer or contractor) must be reported.

Complaints of reportable conduct in relation to an employee (other than the Principal) at St Aloysius College should be reported to the Principal. Complaints of reportable conduct involving the Principal should be reported to Mercy Education Ltd.

Further information can be found in the College's Child Protection and Mandatory Reporting Policy.

Complaints Procedures

St Aloysius College has developed and maintains a fair, effective and efficient complaints-handling procedure so that complaints about events or decisions at the College can be addressed. All parties are expected to do this respectfully as set out in the College's and Mercy Education Ltd Codes of Conduct.

The following steps offer guidelines to raising a concern/complaint about issues arising at the College:

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 an acceptable outcome would be
- consult and adhere to the Resolution of Grievances Policy.

Making the complaint

Informal Resolution

A complainant may feel that he/she can raise the issue with the person(s) involved regarding the impact the situation is having on him/her. Prior to this, he/she may wish to speak with a trusted person, e.g.

- if you are a student – Teacher, Parent/Carer, or Counsellor.
 - refer to the Student Wellbeing Policies and Restorative Practices.
- if you are a parent – Year Level Leader, Pastoral Leader
 - refer to the Student Management Plan, Parent Complaints Procedure
- if you are a staff member, contractor/visitor/volunteer – Human Resources Manager or member of Leadership Team
 - refer to the Respectful Workplace Policy
- write an appropriate note or email to the relevant person (e.g. classroom teacher) outlining your concerns.
- arrange an appointment through the College office to speak via phone or in person with the relevant person(s).
- consider speaking with the Assistant Principal - Student Engagement & Wellbeing student wellbeing leader, if appropriate
- ensure the relevant person(s) is given a reasonable amount of time to take the steps required to resolve or address the concerns.

Contact the Principal or Deputy Principal/Assistant Principals

If the issue remains unresolved after discussion with the relevant person(s), request an appointment, through the office, to discuss the concern with the Principal or Deputy Principal/Assistant Principals.

Depending on the nature of the issue being raised, it may be appropriate for the Principal to be represented by a senior staff member.

Expectations of and Information for Parents/ Carers

In making a complaint, St Aloysius College requests and expects that the complainant will:

- raise the concern or complaint as soon as possible after the issue has arisen
- communicate and respond in ways that are constructive, fair and respectful
- provide complete and factual information about the concern or complaint
- observe confidentiality and a respect for sensitive issues
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about possible outcomes/remedies
- understand that all recordkeeping, reporting, privacy, and employment law obligations will be met when responding to complaints and concerns
- be aware that breaches of the Code of Conduct may impact the College's ability to engage with the complainant to resolve the complaint and, in serious cases, there may be other consequences such as termination of enrolment.

Formal Resolution

A complainant may believe that personal action is not sufficient or has not worked. The grievance can be formalised by speaking with the Deputy Principal or Principal. When considering this course of action, the complainant can request the following to attend any meetings with him/her:

- if you are a student - Teacher, Parent/Carer, or Counsellor.
- if you are a parent - (Support Person)
- If you are a staff member – (Support Person)

Once the grievance is formalised, the Deputy Principal or Principal will meet with the complainant and may ask him/her to fully document the complaint, any actions taken to resolve it and outcomes of those actions. Further action will be agreed upon between the complainant, the respondent and the Deputy Principal or Principal.

The respondent has a right to know exactly what grievance has been raised and who raised it as well as having a similar right to have a support person present.

Witnesses may also be interviewed. All interviews will be conducted separately and impartially in a culturally safe environment that considers any linguistic challenges or other vulnerabilities of those involved and whether support is needed. The importance of confidentiality will be discussed and the possibility of consequences if confidentiality is breached.

The College will seek to find a resolution that is appropriate, achieves the best possible outcome, and is amenable to all parties.

Appeals

If the complainant or respondent believe that the above procedure has not been followed or that the outcome is not acceptable, then they may appeal to the Principal. If the Principal is involved in the grievance, then the appeal ought to be forwarded to Mercy Education Limited.

The Principal will examine all documentation related to the grievance and may seek further interviews. Advice may be sought from the College Advisory Council and Mercy Education Limited. The outcome of an appeal is to either uphold the original investigation or to reopen the investigation appointing a new investigator.

Publication

The Resolution of Grievances Policy, associated information and the Child Protection and Mandatory Reporting Policy are published on the College's website, Learning Management System (SEQTA) and can also be obtained from the office by request.

Child-friendly versions of these documents are also published in various ways to ensure they are accessible to students, including being placed around the College.

Related College Policies

- St Aloysius College Child Safety Policy
- Safeguarding Children and Young people Code of Conduct
- Child Protection and Mandatory Reporting Policy
- Respectful Workplace Policy
- Occupational Violence Policy

Related Mercy Education Policies

- MEL Child Safety Policy
- Complaints Management Policy
- Whistleblower Policy
- Mercy Education Code of Conduct (Employees and Volunteers)
- Mercy Education Parent Code of Conduct

External Agency

If a complainant is not happy with the way a grievance has been dealt with, he/she may wish to go to an external agency for further advice and assistance. External agencies that may be considered are:

Mercy Education Limited
720 Heidelberg Rd,
Alphington VIC 3078
Tel: 9977 3870

Victorian Catholic Education Authority (VCEA) (previously CECV)
2 Lonsdale Street,
Melbourne VIC 3000

secretary@vcea.catholic.edu.au

Victorian Registration and Qualifications Authority (VRQA)

2 Lonsdale Street,
Melbourne VIC 3000

Tel: 9367 2806

Email: vrqa@education.vic.gov.au

The Equal Opportunity Commission of Victoria

Level 3, 380 Lonsdale Street

MELBOURNE VIC 3000

Tel: 9281 7111 or 1800 134 142

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