



Malvern

# Complaints Handling Policy

## Rationale

De La Salle College is committed to building a school community that features positive and respectful relationships. Within our school, relationships are founded in the gospel values of justice, compassion, reconciliation and kindness. Such relationships support the learning and development of students and value the innate dignity of each person. It is important that each member of the community, including staff, parents and students, are contributors to the building of the school community. A timely and professional response to complaints is an effective means of encouraging communication, building trust and resolving issues for the betterment of all concerned.

De La Salle College understands that from time to time complaints arise regarding aspects of our school's operation of programs and activities and that it is important that all members of the community have the opportunity to be heard. De La Salle College commits to ensuring procedural fairness is observed when dealing with complaints and grievances.

Positive, clear and effective procedures and processes for resolving grievances between the school and community members can assist in building strong relationships, dispelling anxiety and ultimately providing students with a settled and happy learning environment.

The De La Salle College Code of Conduct outlines the expectations of behaviour for members of our community. The following procedures relate to any concerns that members of the community may have – whether these are serious grievance issues, or relatively minor concerns.

## Mission

De La Salle College is a Catholic College in the Lasallian tradition, enabling students in a community of faith and excellence to achieve their full potential with integrity and distinction.

*Let the way you live be that of the Gospel.*

St John Baptist de La Salle  
(Med. 84.3)

## Aim of the Policy

This policy outlines De La Salle's procedures for resolving student and parent complaints in an effective and timely manner.

## Policy Statement

De La Salle College is committed to resolving complaints wherever possible through mediation, consultation, cooperation and discussion. Positive resolution of grievances or complaints is more likely when:

- the College creates an expectation that everyone will be treated with respect;
- the College encourages an openness to listening to the concerns of students and parents; and
- members of the College community can expect that their concerns will be taken seriously.

## Principles

In receiving and responding to complaints, the following guiding principles will inform and direct De La Salle College actions:

- Complaints of a school-based nature 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. Complaints that are unable to be resolved at the local level will be escalated to the College Board or relevant Melbourne Archdiocese of Catholic Schools (MACS) Regional Office. Complaints are received and managed in a way that is culturally safe and sensitive to the diverse circumstances of children and students, as well as providing support to vulnerable children and students;
- Complainants can expect their concern or complaint to be taken seriously and to be responded to in a respectful, thorough and timely manner;
- Staff members and volunteers 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 together with the interests of the individual will be taken into account;
- Recordkeeping, reporting, privacy and employment law obligations will be complied with when receiving and handling complaints.

## Definition

### Complaint

A complaint is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue at De La Salle College.

### Providing Feedback to De La Salle College

De La Salle College has procedures and processes in place by which parents/guardians/carers and the broader school community can confidently raise concerns in the knowledge that they will be listened to and their concerns will be professionally managed in a timely, confidential and appropriate manner.

Relationships with the school community are important to us. We take complaints raised by parents/guardians/carers and the broader school community seriously. There are many avenues to provide feedback to school staff. These include:

- annual formal parent/guardian/carer survey;
- formally scheduled parent/guardian/carer feedback forums;
- meetings with the principal or other staff members to express concerns.

### 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 should be directed to the De La Salle College principal in the first instance.

For complaints of a serious nature involving school staff, the following additional information is provided.

### Misconduct or serious misconduct

All complaints of alleged misconduct or serious misconduct by a teacher, staff member or volunteers 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](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 may help to determine the appropriate course of action in these circumstances.

### 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.

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.

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 of De La Salle College**

In the case of a complaint involving the principal, a member of the College Executive Team and the College Board Chair should be informed immediately.

#### **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 at De La Salle College, the complainant should inform the principal

#### **Anonymous complaints**

De La Salle College endeavors to address and respond to all complaints. In some situations, we may not be able to fully address complaints that are made anonymously or without sufficient detail being provided to enable an inquiry or resolution of the matter. 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. Where possible, complainants are encouraged to give their names and to be reassured that we will deal with complaints professionally and in accordance with procedural fairness and confidentiality. If the complainant wishes to remain anonymous, it is at the principal's discretion what, if any, action will be taken. Anonymous complaints will be recorded in the same manner that all other complaints are recorded.

#### **Complaints in relation to Information Sharing Schemes**

De La Salle 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 school, 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 Principal to report to the Commission for Child 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 De La Salle College employee (which amongst others, can include a teacher, principal, volunteer or contractor) must be reported. Further information can be found in the College's Reportable Conduct Policy

## **Procedures for Complaints about Staff Issues at De La Salle College**

De La Salle 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. Further information can be found in the DLS Complaints Handling Procedure (Staff).

### **Expectations of and Information for Parents/Guardians/Carers**

In making a complaint, De La Salle 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.

If your concern/complaint relates to your treatment or your son's treatment by another student, students or family member while at De La Salle College, we expect that you will refer your complaint directly to the college, via your son's Class Teacher, Year Level/House Coordinator, Director of Students, Deputy Principal or Principal. Under no circumstances should you approach another student in the care of the school to discuss the issue or chastise them. Direct contact with parents to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the school.

Parents/guardians/carers making complaints are to be respectful, confidential and courteous. Parents/guardians/carers who are unreasonable, threatening or discourteous can expect their discussions with the principal to be terminated until such time as an alternative discussion time is arranged by the school.

See [Complaints Handling Procedure \(Students and Parents\)](#)

### **Process for Dealing with Complaints**

The school will record the details of all complaints including the name and contact details of the persons making the complaint. The college will then refer the complaint to the most appropriate person to undertake an inquiry. There will be many occasions that this will be someone other than the principal. The staff member conducting the inquiry may conduct a preliminary inquiry or communicate with the parent to discuss the matter further.

If the scope of the inquiry is beyond the capacity or jurisdiction of the college, the matter will be referred to the MACS Regional General Manager and the parent/guardian/carer will be informed of the referral.

Parents/guardians/carers discussing complaints with the principal may be accompanied by a support person. The support person can be a family member, a friend or a professional with knowledge of the student. Any person acting in a professional capacity on behalf of the parents/guardians/carers must provide their occupational details and full name prior to the meeting being held. It is at the principal's discretion if an external professional is a participating member of any school meeting. The support person may encourage and facilitate sharing of parent/guardian/carer knowledge, perception and issues. The support person should support a positive working relationship between all parties. The support person does not speak on behalf of parents/guardians/carers when discussing complaints with the principal.

Any inquiry conducted by the school will be done so in a timely, efficient and confidential manner, ensuring the fair principles on natural justice are applied for all. Parents/guardians/carers will be provided with an anticipated timeframe for a resolution. The staff member conducting the inquiry will record the details of the inquiry.

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.

The school will ensure that all records are maintained in accordance with its obligations under the [Public Record Office Victoria Recordkeeping Standards](#).

### **Outcomes of Complaints**

Outcomes of complaints and grievances can include the following:

- an apology – either verbal or written;
- mediation – with an internal or external mediator;
- an official warning;
- disciplinary action;
- a behavioural contract (in the case of a student);
- pastoral or spiritual care;
- an understanding that the behaviour will not be repeated;
- a change in policy or procedure.

### **Complaint Escalation**

If the matter cannot be resolved at the school level, or if the complaint is about the principal, complainants should contact the Chair of the College Board. The Chair of the College Board will liaise with the relevant MACS Regional Office.

When a complaint is serious or the complaint is not resolved after the involvement of the MACS Regional General Manager, it may be referred to the MACS Executive Director for review.

If the complaint is unable to be resolved to the satisfaction of the complainant, but the matter is however finalised, the complainant has the right to seek alternative independent or other advice, or contact other entities such as the Victorian Equal Opportunity and Human Rights Commission, or the Victorian Civil and Administrative Tribunal. Complaints related to the minimum standards for school registration can be referred to the Victorian Registration and Qualifications Authority (VRQA).

### **Withdrawal of a Complaint**

A complaint can be withdrawn at any stage during the complaint management procedures. A complaint should be retracted in writing by the complainant and addressed to the principal of De La Salle College or the relevant MACS Regional Manager.

### **MACS Regional Office Contact Details**

Southern Regional Office  
602 South Road  
MOORABBIN EAST VIC 3189  
Ph: 03 8301 7400  
Email: [sro@macs.vic.ed.au](mailto:sro@macs.vic.ed.au)

### **Related Policies**

Complaints Handling Procedure (Parents and Students)  
Complaints Handling Procedure (Staff)  
Child Protection Reporting Obligations Policy

### **Approval**

Responsible officer:	Deputy Principal: Staff and Operations
Approval body:	College Executive
Approval date:	13 July 2022
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Next scheduled review:	July 2025