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1. Introduction

There will be times when members of the Loreto Coorparoo community will wish to question or bring complaints against behaviours of persons or decisions.

Most complaints will be able to be satisfactorily remedied informally through communication with staff, curricular and pastoral leaders and College leadership. Appointments can always be made with the College to discuss issues.

Additionally, College policies and procedures are in place to address and remedy behaviours of concern. They include the Staff Wellbeing and Pastoral Care Policy, the Anti-Bullying Policy, the Procedure for Parents Wishing to Raise Concerns and the Student Protection Policy & Processes.

2. Scope

This policy is applicable to students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.

3. Purpose

The purpose of this policy is to ensure that student, parent, employee or other stakeholder complaints are dealt with in a responsive, efficient, effective, transparent and fair way.

The College will seek to resolve issues quickly and use principles of conflict resolution to ensure that complaints are resolved with the least amount of stress for those involved. Processes for dealing with a complaint may be formal or informal depending on the nature of the complaint. The College recognises the need to treat all parties with fairness. It views formal complaints as serious.

4. Principles

The College is committed to managing complaints according to the following principles:

- All members of the College community have a right to work in an environment conducive to their wellbeing and safety
- Natural justice will be accorded to all
- Confidentiality and privacy will be maintained as much as possible
- Complaints will be dealt with fairly and objectively and in a timely manner
- Complaints will be resolved with as little disruption as possible
- Complaints will be taken seriously
- Anonymous complaints will be treated on their merits like any other complaint when possible
- Mediation, negotiation and informal resolution are optional alternatives to investigation
- Procedural fairness and natural justice principles will be ensured
- All parties to the complaint will be appropriately supported
- All parties are entitled to reasonable progress updates
- Appropriate remedies will be offered and implemented
- A review mechanism will be offered
- Complainants, respondents and people associated with them will not be victimised as a result of lodging the dispute nor will they suffer any other reprisals
- The college will keep confidential records of complaints

5. Policy Statement

Loreto Cooperaroo (the College) is committed to ensuring that student, parent, employee and other stakeholder complaints are dealt with in a responsive, efficient, effective, transparent and fair way.

The College views complaints as part of an important feedback and accountability process. The College acknowledges the right of students, parents, employees and other stakeholders to complain when dissatisfied with an action, inaction or decision of the College and encourages such feedback. The College recognises that time spent on handling disputes can be an investment in better service to students, parents, employees and other stakeholders.

6. Definitions

Formal Complaint: A formal written expression of concern providing detailed information of the concern being raised (who, when, where).

Complainant: Person making the complaint.

Respondent: Person allegedly “causing” the concern.

Direction: This is the official process which can be used by the Principal to direct a person to cease certain conduct or to refrain from accessing a particular part of the College’s premises.

Workplace Relations Facilitator: Designated staff person who can assist with complaints and explain the process.

Outside Investigator: A person with appropriate legal qualifications to conduct a formal investigation.

Support Person: All witnesses are entitled to have a support person at interview.

Investigation: A fact finding process providing due process, natural justice and confidentiality.

Appeal: There is no appeal process, however, Complainants who are unsatisfied with the investigation or findings are free to seek any further remedies available to them.

Vexatious Complaints: These are complaints that are found to have not been brought in good faith or with any reasonable validity.

7. Confidentiality

Confidentiality is an important issue for all parties. It is essential that any complaint is treated in a confidential manner as much as possible, and with respect.

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

The College’s policy is that complaints made by parents should not adversely affect their children and similarly that complaints raised by students should not affect them or other students.

It may be possible to deal with a problem without naming individuals. However, even if no names are given, the source of the complaint may be clear and thus confidentiality cannot be assured. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff or the child – it may also be in the interest of the child to do so.

Members of staff have a right, under procedural fairness, to know about complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. The college will provide support for staff against whom a complaint is made, upon request; this will be provided by a colleague who is not otherwise involved.

If there is a situation involving the police, the Principal will take responsibility for action in the College and the College Board Chair will be informed as soon as possible.

8. Responsibilities

8.1. The College

The College has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the college's Complaint Resolution Policy and Procedures
- Appropriately communicate the College's Complaint Resolution Policy and procedures to students, parents, employees and other stakeholders
- Upon receipt of a complaint, manage the complaint in accordance with the Complaint Resolution model prescribed in the procedures
- Ensure that appropriate support is provided to all parties
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep appropriate records.

8.2. The Principal

The Principal has the following role and responsibilities:

- The overall management and application of this Policy
- Fulfilling Work Health and Safety obligations
- Appointment and training of Workplace Relations Facilitator/s
- Modelling appropriate workplace behaviour and practice
- Responding and managing inappropriate behaviour regardless of whether a formal complaint is received
- Having an expectation and encouraging all staff to behave in accordance with the goals and values of the College, and within the principles of equity and anti-discrimination
- Dealing with Complaints seriously and in accordance with the principles and procedures of this Policy and the Law
- Widely promoting the Staff Wellbeing and Pastoral Care Policy to staff, and ensuring that the Policy forms part of the induction process for new staff
- Undertaking professional development in support of this policy.

8.3. All Parties to a Complaint

The complainant and respondent have the following role and responsibilities:

- Apply and comply with the College's Complaint Resolution Policy and Procedures

- Lodge complaints promptly as soon as possible after the issue occurs or as otherwise appropriate
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness; that natural justice principles will be observed; and that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- Act in good faith, and in a calm and courteous manner
- Show respect and understanding of each other's point of view and value difference, rather than judge and blame
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties wherever possible
- Recognise that all parties have rights and responsibilities which must be balanced
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the complaint or any person associated with them.
- In the case of staff, undertaking professional development in support of this Policy.

8.4. Employees receiving Complaints

Employees receiving complaints have the following role and responsibilities:

- Act in accordance with the college's Complaint Resolution Policy and procedures
- Inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- Provide the complainant with a copy of the College's Complaint Resolution Policy and procedures
- Maintain confidentiality
- Keep appropriate records
- Forward complaints to more senior employees, including the Principal, as appropriate
- To be appropriately supported
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.

9. Implementation

The college is committed to raising awareness of the process for resolving complaints, through the development, implementation, support and promotion of this policy and related procedures.

The College is committed to appropriately training employees on how to resolve complaints in line with this policy and the related procedures. Employees are provided with annual Complaint Resolution training to ensure they have the most update information on the process.

The College will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the College Board on complaint resolution at the College.

The College encourages students, parents and employees to contribute to a healthy College culture where complaints are resolved with as little formality and disruption as possible.

Loreto Coorparoo has employees appointed to act as Workplace Relations Facilitators to provide confidential and impartial information about the College's relevant policies and processes.

The Workplace Relations Facilitator's role includes:

- Canvassing options available under internal College processes;
- Facilitating informal remedies (organising facilitated resolution/mediation) – if so delegated by the Principal;
- Informing the Principal in confidence that an issue has arisen;
- Keeping statistical records.

The Workplace Relations Facilitator is just that, a Facilitator, and does not fill the role as support person either of the complainant or the alleged offender.

10. Procedures

10.1. Complaints that may be resolved under this Policy

Loreto Coorparoo encourages students, parents and employees to promptly lodge concerns regarding sexual harassment, discrimination, workplace bullying, privacy breaches and non-compliance with child protection processes as well as more general complaints that include areas such as:

- the College, its employees or students have done something wrong
- the College, its employees or students have failed to do something that they should have done
- the College, employees or students have acted unfairly or disrespectfully
- issues of student or employee behaviour that are contrary to their relevant Code of Conduct
- issues concerning learning programs, assessment and reporting of student learning
- issues concerning communication with students or parents or between employees
- issues concerning College fees and payments
- general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

10.2. Complaints outside of this Policy

The following matters are outside of the scope of this policy and will be managed as follows:

- Child protection concerns or risks of harm to children will be dealt with in accordance with the law and the College's Child Protection Policy
- Student bullying complaints will be dealt with under the Student Bullying and Harassment Policy

- Employee complaints of discrimination, sexual harassment or workplace bullying will be dealt with under the Discrimination, Sexual Harassment and Workplace Bullying Prevention Policy
- Student discipline matters, including matters involving suspension or expulsion, will be dealt with under the Code of Conduct for Students
- Employee complaints related to their employment will be directed to their supervisor
- Student or employee violence or criminal matters will be directed to the Principal who will involve the police as appropriate.

10.3. Process for Complaint

On the initial receipt of a complaint (written or verbal), the person receiving the complaint will acknowledge receipt of the complaint, assess the nature of the complaint and either deal with the matter themselves or, if appropriate, pass the matter to a person who is suitably independent and competent to manage the matter. It is important that the complainant is advised of the process and provided with a timeframe for dealing with the complaint. Usually action should be initiated within 7 – 10 working days, but the timeframe may vary according to the nature, complexity or timing of the complaint. Complainants should be kept informed of progress in resolving the complaint. Appropriate records should be kept.

If appropriate, the person dealing with the complaint may elect to seek to resolve the issue informally by meeting with the parties singly and/or together, providing advice or strategies for action. Such an approach is not an option for dealing with matters related to Child Protection or formal complaints of harassment, bullying or discrimination which should always progress immediately to the formal policy processes.

Where this informal process is not appropriate or does not lead to resolution, the formal complaint procedure will then apply.

10.4. Dealing with the Complaint

All members of the College community are strongly encouraged to maintain respectful and collaborative working relationships and quickly address any misunderstandings should they arise. However, a person may feel aggrieved in the course of his/her engagement with the College and believe that the situation is serious enough to warrant external assistance to remedy the issue. The source of the complaint may be varied, ranging from conflict over professional or academic issues; concern over an employment condition or application of a College policy through to serious discrimination or harassment.

A minor complaint may be remedied by the parties themselves but, if not dealt with, minor complaints can escalate and become issues of a more serious nature. Therefore, if it cannot be remedied quickly, the person should raise issues of complaint as soon as possible.

A complaint may be initially communicated in a phone call, written letter, email or a meeting. Issues should be raised in the first instance as follows:

- Staff – with their immediate supervisor, or if a grievance is with a supervisor, the issue should be raised with the Deputy Principal – Pastoral Care or Director of Finance & Business Operations. The Workplace Relations Facilitator is available to assist the Complainant to formulate the complaint, giving particulars of the allegations (when, where, what was said, other witnesses etc.) (refer Staff Wellbeing and Pastoral Care Policy);

- Students – with the class teacher, or Year Coordinator;
- Students or parents – with academic complaints first with the class teacher, then Head of Department, Year Coordinator or Deputy Principal – Pastoral Care.
- Contractors – with the person who has engaged them at the College;
- Parents and volunteers – with the relevant member of staff overseeing the area of concern; and
- External stakeholders – with the Director of Finance & Business Operations or Principal.

Complaints made without substantiation or accusations made without any basis are unprincipled and this will be viewed by the College as a very serious matter.

If further assistance is required to resolve the complaint either party can request a facilitated resolution process. The facilitator of this process can be one of the following people, but both parties must agree on the person.

- Curriculum Leader for a curriculum/academic issue
- Year Level Coordinator for a pastoral issue
- Director of Finance and Business Operations and/or Supervisor of a non-teaching staff member against whom the complaint is being made
- Deputy Principal – Curriculum & Technology if the complaint is against a Curriculum Leader
- Deputy Principal – Pastoral Care if the complaint is against a Year Level Coordinator (either in their role as a teacher or in their capacity as Curriculum Leader or Year Level Coordinator)
- Director of Finance and Business Operations if the complaint is against the Facilities Services Manager
- Principal if the complaint is against a Deputy Principal, Director or - Director of Finance and Business Operations
- Any member of staff as mutually agreed by both parties
- Chair of the Board of Directors (chair@loreto.qld.edu.au) if the complaint is against the Principal.

The parties and facilitator for this process will meet and try to resolve how to remedy the conflict.

In some instances the parties may prefer to proceed to mediation with the assistance of an external mediator – arranged by the Workplace Relations Facilitator (after consultation with the Principal).

While the internal process sits more comfortably with the ethos of the College, the College acknowledges the right of the Complainant to seek remedy by external legal processes at any time.

The Complainant may decide to do nothing. If, in the opinion of the Workplace Relations Facilitator there is a valid issue, the Workplace Relations Facilitator is required to report to the Principal that a problem exists but the Complainant does not wish to initiate any remedy personally. Should the Complainant not wish to proceed with the matter, but the issue is of a significant concern to the College, the College reserves the right to proceed to address the matter by investigation irrespective of the Complainant's wish not to seek remedy personally.

A support person could be a colleague or friend and in the case of students, parents or guardians.

10.5. Formal Complaints

The College regards formal complaints as serious matters that have the potential to affect the reputation and career of staff or the prospect of students continuing at the College. All complaints will be treated seriously. The College will determine the most appropriate method of dealing with the complaint in accordance with the procedures outlined in the Grievance Policy and Procedure. Therefore, formal complaints must be made in a formal manner according to the following guidelines:

- Formal complaints must be in writing to the Principal, signed by the complainant (unless the person receiving the complaint decides that this is not appropriate because of the nature of the complaint or to protect the complainant);
- The written complaint should clearly outline the nature of the complaint and specify individuals involved. It should include all relevant supporting material available to them such as emails and notes of verbal communication including, where appropriate, the names of witnesses.
- The Workplace Relations Facilitator is available to assist the Complainant to formulate the complaint, giving particulars of the allegations (when, where, what was said, other witnesses etc.) (refer Staff Wellbeing and Pastoral Care Policy);
- The complaint and any other documentation are received by the Principal either directly from the Complainant or through the Workplace Relations Facilitator.
- The Principal and another senior staff member, as advisor (with, as necessary, external advice) will decide how best to manage and investigate the complaint. This may include:
 - Handling the complaint under a specific College Policy, if applicable. e.g. Student Protection Policy & Processes, Staff Performance Management Policy, Professional Conduct Policy.
 - Internal investigation by appropriate senior staff person or other delegation.
 - Engaging an external person to investigate the Complaint.
- The Principal and advisor will meet the alleged Offender/Respondent to inform him/her of the complaint and all written details and copies of documents known and to hand at that date.
- The Respondent will be invited to respond then and there and also to respond in writing by a due date. Both Complainant and Respondent will be informed of the management plan decided upon to address the Complaint. Confidentiality will be stressed.
- Both parties are encouraged to have support persons of their choice at all stages of the proceedings.

Depending on the severity of the complaint a person may be stood aside/down or suspended for the duration of the investigation, should in the reasonable view of the Principal, unacceptable risks exist.

Formal complaints will be tracked and recorded in a Complaint Register which is kept in the Principal's office. Details of the issue, dates and names of the parties involved, the investigation process, actions taken, location of file and the outcome will be recorded. A detailed file will be kept in confidential College records.

10.5.1. Evidence

Where a Formal Complaint has been lodged the following type of evidence may be relevant or required:

- Supervisor's report and personnel records (e.g. sudden increase in sick leave);
- Supporting evidence provided by a medical practitioner, counsellor, family member, friend or co-worker;
- Complaints or information provided by other employees about the behaviour of the alleged person causing the concern;
- Records and diary notes kept by the person who has the concern;
- Whether the evidence was presented by the parties in a credible and consistent manner;
- The absence of evidence where it should logically exist.

10.6. Support

It is acknowledged that raising issues of conflict may be difficult for some people. Therefore, the option exists for a support person to be included in any meetings with the person investigating the complaint. The role of a support person is to provide support to the complainant, for example by discussing the issue with him/her or taking notes in the meeting. In this situation, a support person is not an advocate for the complainant and should not become actively involved in the discussions.

10.7. Complaint Resolution Review

The College does not offer unlimited opportunities for review if a complainant is unhappy with the resolution of a complaint. Any appeal against the resolution of a complaint should be made in writing to the Principal. An appeal is only likely to be considered if there is evidence that there was a procedural problem with the investigation.

The Principal, at her discretion, will consider the application for a review and will either direct that the complaint be re-examined or direct that the matter be closed.

10.8. Non Compliance with the resolution process

All employees under their contract of employment and the Fair Work Act are reasonably expected to assist the College in its reasonable efforts to manage disputes. Where the person, against whom a complaint was lodged, refuses to attend meetings, or refuses to take part in mediation sessions, or severely breaches confidentiality to the extent that the business objectives of the College are compromised, he/she may be subject to disciplinary action. In any case, the investigation will proceed and recommendations, decisions and actions put in place.

10.9. Outcomes

The Principal will put in place any outcomes resulting from the Principal's decision. These may include disciplinary outcomes for Staff. Staff outcomes may include any combination of the following:

- Demotion, suspension, probation or dismissal;
- Re-training and professional development;
- Mentoring;
- Official warnings that are noted on the personnel file;
- That the Complaint was vexatious or malicious;
- Formal apologies.

Outcomes decided upon will depend on factors such as:

- The severity and frequency of the issue causing concern;
- The weight of the evidence;
- The wishes of the person who is making the Complaint;
- Whether the person causing the problem could have been expected to know that such behaviour was a breach of policy/professional conduct;
- The level of contrition;
- Whether there have been any prior incidents or warnings.

Disciplinary outcomes will apply to anyone who brings a Complaint which is considered vexatious or without any basis.

There may be times when a Complainant does not want to continue with any process or investigation. If the issues raised are such that the health and wellbeing of staff or students is being adversely affected, the College reserves the right to instigate an investigation irrespective of the wishes of the Complainant or other parties.

The decision of the Principal marks the end of the Complaint Resolution Process offered by the College.

11. Complaint Resolution Policy Review

This policy will be reviewed annually or as required by legislation.