



## Guidelines for Management of Complaints at Sacred Heart College Kyneton

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### Introduction

The following steps provide instructions for managing complaints and grievances (complaints) received by, or on behalf of, Sacred Heart College Kyneton.

Complaints related to child safety matters are not covered in these operational instructions and should be addressed separately in accordance with Child Safety legislation and reporting obligations.

Complaints related to work or employment conditions should, in the first instance, be handled in accordance with internal school processes and relevant industrial agreements.

Whistleblower disclosures should be addressed according to relevant legislation, or by referring to the Mercy Education 1.09 Whistleblower Policy.

### Definitions

**Complaint:** an expression of dissatisfaction with a real or perceived issue at a school. For direct complaints, a response or resolution is required.

**Direct complaints:** may be received verbally or in writing via email or letter.

**Indirect complaints:** may be posted on social media sites and brought to the attention of Sacred Heart College.

**Complainant:** the individual making the complaint.

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

## Key Steps in the Management of Complaints by Sacred Heart College Kyneton

### Introduction

Sacred Heart College acknowledges that complaints should be dealt with quickly, effectively and, at the most appropriate and expeditious level. This may be modified by the nature of the complaint and the wishes of the person who is seeking a resolution of the complaint.

As the governing authority, Mercy Education may have a subsequent role where resolution at the school level has not proved satisfactory or is not appropriate due to the sensitivity of the issue.

Sacred Heart College must have in place policies and procedures that allow employees and members of the school community to express complaints and seek remedies which:

- include the contact details of the relevant personnel
- be readily available to parents, students and employees
- provide a remedy pathway which includes escalation to Mercy Education

### Registration of a complaint

- If Sacred Heart College receives a verbal complaint, it will be considered informal and in the first instance, the complainant will be encouraged to deal directly with the subject of their complaint. In the case of school operational complaints, the matter will be referred to the staff member or relevant member of the College Leadership (CLT). If this is not considered feasible or advisable or does not produce a satisfactory resolution, the complainant will be advised to put their complaint in writing

to the Principal. Once the complaint is in writing it will be considered and addressed as a formal complaint. The complaint will be registered on the SHCK Complaints Register and the appropriate response will be determined.

- If a complainant chooses not to put their complaint in writing, SHCK will assess whether any further action should be taken. All informal complaints and any action taken should be documented by the staff member who receives the complaint.
- If Sacred Heart College receives a complaint in writing, the procedure for response will be determined according to the subject and nature of the complaint.
- If the College becomes aware of an anonymous complaint or an indirect complaint about SHCK or a SHCK staff member on a social media site, the procedure for response will be determined according to the subject and nature of the complaint. Response via social media is prohibited. Where possible the administrator of the social media site may be contacted and/or legal advice may be sought.

#### Line Management of Complaints at Sacred Heart College Kyneton

- In general, complaints made to Sacred Heart College should be managed by the staff member most appropriate given the nature of the complaint with support as needed by their line manager and/or member of the CLT.
- Complaints relating to the Principal are managed by the Chief Executive of Mercy Education Ltd. Via the MEL Complaints process. The Board of Mercy Education is required to be fully informed of any complaint of this nature.
- All signed written complaints addressed to the Principal or to Sacred Heart College staff should receive a written response.

#### Response to a Complaint

- If a complaint is school based, it will be referred to the Principal or member of the College Leadership Team and investigated according to the policy and practice of the individual school. The complainant will be advised that this has occurred.
- Complainants will be encouraged to address their issues with the subject of their complaint personally in the first instance without third party involvement. Assistance will be provided where appropriate.
- Wherever possible, complaints should be resolved by a process of discussion, co-operation and conciliation. The aim is to reach an acceptable outcome that minimises any potential detriment to ongoing relationships.
- Where possible, procedural fairness will be followed in all aspects of complaint handling, including:
  - giving the complainant the opportunity to present their case;
  - informing the subject of the complaint that it has been received and what the allegations are;
  - giving the subject of the complaint an opportunity to respond;
  - advising all parties of the outcome of the investigation; and
  - informing parties of any avenue of review.
- If the College determines that a formal investigation is required, the investigation will be carried out by a member of the College Leadership Team (or in certain cases by an appropriate member of staff) as delegated by the Principal.
- If the complaint relates to a member of the CLT, the investigation will be carried out by the Principal. In this circumstance, the Principal may choose to or may be required to report the complaint to Mercy Education.
- If the complaint relates to the College Principal please refer this directly to Mercy Education and refer to the Mercy Education Complaints Management Policy and Flow Chart.
- In certain circumstances, the Principal may choose to use an external investigator to assist with or complete an investigation.
- If an investigation includes an interview, a number of protocols should be observed:
  - all parties will be offered the opportunity to be accompanied by a support person. This may be a colleague, a union representative or any other person who acts as a support to the

person being interviewed. Their role is to observe, advise and provide support in relation to the process.

- Any support person must be identified in advance; shall not be a person directly involved with the complaint; must not be acting in the capacity of a legal practitioner; does not actively participate in the interview process, although may confer privately with the interviewee during the process; and must maintain confidentiality.
  
- If students are interviewed during investigation of a complaint, written permission must be obtained from their parents or guardians and they must be accompanied by a responsible adult.
- All interviews will be documented by a notetaker and signed by the interviewee.
- Upon completion of the investigation, the results of the investigation must be reported back to the Principal and/or Mercy Education Chief Executive to determine further steps/action as required.

#### Post Investigation

- Mercy Education retains the right to stand down any staff member or the Principal during an investigation.
- Sacred Heart College will notify the complainant and the subject of the complaint in writing of the results of the investigation and its decision on any further action. The person who lodged the complaint may not be told all details of the recommendation because the level of response will be confidential between the person complained about and Sacred Heart College and/or Mercy Education.
- Should a complainant wish to pursue the issue further and is able to substantiate enough grounds to do so, there are provisions within the Mercy Education Complaints Management Policy 1.06 to proceed.
- Information in a complaint should only be disclosed to those parties who have a need to know to investigate and resolve the complaint.

#### Possible Outcomes

If a complaint is substantiated, possible outcomes include:

- Written or verbal apology
- Official warning
- Counselling
- Disciplinary action
- Dismissal
- Change to work practices
- No action

If a complaint is not substantiated through insufficient evidence, possible outcomes include:

- Monitoring of behaviour
- Relevant training
- Mediation
- Counselling
- Change to work practices
- No action

If a complaint is proved to be unfounded, possible outcomes include:

- Counselling for the complainant
- Counselling for the subject of the complaint
- Mediation
- No Action

If a complaint is proved to be vexatious, possible outcomes include:

- Counselling for the complainant
- Counselling for the subject of the complaint
- Mediation
- A written apology to the subject of the complaint from the complainant
- No Action

Documents produced during the investigation by Sacred Heart College, Mercy Education or an independent investigator will be securely retained by Sacred Heart College or, where necessary, by Mercy Education.

### Related Documents

- Guidelines for Management of Complaints at Sacred Heart College Kyneton
- Mercy Education Policy (1.06) – Complaints Management
- Mercy Education Operational Instructions (1.06) – Complaints Management
- Mercy Education Complaints Management Flow Chart
- Sacred Heart College Privacy Policy

Version	Comments	Date Released	Next Review	Author	Approved
1		May 2023	May 2025	Principal	NA
2	Ratified at CAC meeting 21/5/24	May 2024	April 2026	Principal	CAC