



COMPLAINTS HANDLING PROCEDURES AND PROFORMAS FOR COMPLAINTS MADE AGAINST TEACHERS

Rationale

At Kilbreda College we are committed to providing a safe and supportive work and learning environment for all staff and students. As a Kildare Ministries school in the Brigidine tradition, based on "Strength and Kindliness", we believe that relationships are pivotal to the community and right relationships are essential for healthy and just behaviour. We acknowledge that staff, students, parents or members of the community can sometimes feel concerned or aggrieved about decisions, behaviours, actions or omissions that are perceived as unreasonable or discriminatory.

It should be noted that a concern differs from a complaint. For example, an initial request for action or an enquiry is not a complaint. When concerns are addressed and resolved promptly the need for a formal complaint is minimised.

A complaint is a statement that something is wrong or not satisfactory.

Principles

Impartiality

The complaint will be investigated in a fair and impartial manner. No judgments or assumptions will be made. No action will be taken until the investigation is complete. If a complaint is made against a person, their rights will be protected and they will be given an opportunity to respond.

Confidentiality

In most cases, it will be necessary for the details of the complaint to be shared with a range of people who might contribute to its resolution. However, within this constraint, confidentiality will be respected.

Victimisation

The person making the complaint should not experience any victimisation as a consequence of making the complaint.

Integrity of complaints

There is an underlying assumption that complaints are made in good faith, with resolution rather than retribution as the intended outcome.

Timeliness

Each complaint will be finalised within as short a period of time as possible. Complainants will be advised if the matter cannot be finalised within a reasonable timeframe.

What to do if you have a complaint

Approach the person involved

In many situations, the most appropriate action is to discuss the complaint with the person involved. This enables the person involved to stop or change what they are doing or to explain the reasons behind a decision.

Discuss the complaint with the appropriate School Leader (Learning Leader, Level Leader, Member of the Leadership Team, Principal)

Where it is not possible to approach the person directly, or the results of initial discussion are not considered satisfactory, the complaint should be discussed with the appropriate School Leader. Parents and members of the community should initially call the General Office on the school phone number in order to be directed to the most appropriate School Leader. Where possible, students should direct their complaints in the first instance to their Level Leader. Staff should direct their complaints to the Principal or a member of the Leadership Team.

What happens next?

The appropriate School Leader will conduct an interview with the complainant and record the complaint in writing. During this interview, the complainant will be informed of what will happen if the complaint is found to be supported by evidence, or if it is found to be not supported by evidence. The complainant will also be informed of assistance or supports available to them.

The School Leader will discuss the complaint with the person about whom the complaint is made. Any witnesses will also be interviewed separately and impartially. The importance of confidentiality will be stressed to all parties concerned.

The School Leader will report back to the complainant to work towards a resolution.

Possible outcomes

If the complaint is upheld or sustained the following are possible outcomes depending on the nature of the complaint:

- An agreement between the parties
- A verbal apology
- A written apology
- An official warning

Action may be also taken according to the *Kildare Education Ministries Policy on Ethical Standards for Staff and Associates of Kildare Education Ministries*.

If a complaint is not upheld but some issues are raised in the investigation that require attention, possible outcomes may include:

- Relevant training for staff
- Monitoring the behaviour of staff
- Counselling for the complainant
- Mediation

If the complaint is proved not to have occurred, or if the complaint was made with the intent to cause distress, possible outcomes may include:

- Counselling for the complainant
- A written apology from the complainant
- An official warning

The School Leader will ensure that the outcome actually occurs and will assess the effectiveness of the outcome from time to time. This includes signing the appropriate documentation when the outcome has been met.

If the complaint remains unresolved, it will be reviewed by the Principal who will make the final decision regarding the outcome of the complaint.

Appeals

If the procedure followed, or outcome reached, is considered unsatisfactory, appeals can be made:

- At the school level, to the Principal who will review the manner in which the complaint was handled and determine whether this and the outcome were appropriate
- To the Catholic Education Office Melbourne
- To the appropriate Education or Governance authority
- To Kildare Ministries
- To the appropriate Government bodies.

Record Keeping

Records of complaints, interviews and other documentation relating to complaints are kept at the School in a separate complaints file in a restricted access mode. If there are ongoing management or care issues relating to a complaint, there will be a cross-reference system to the restricted file on the staff member's school file.

Footnote:

The College will maintain a solution-focussed approach when internally investigating and handling all complaints against a staff member. This does not preclude the complainant from lodging the complaint with an external agency. Some matters of complaint may require the complainant or the school authority to refer the matter to an external authority.

April 2019