



### **Rationale**

Nagle College is a community based on Christian gospel values and it is firmly intended that these are lived values throughout the whole organisation day to day. We strive to create an atmosphere of belonging and pride in the college where the richness, equality and contribution of all is appreciated and respected. This environment is characterised by fairness, mutual trust, respect, open communication, tolerance and reconciliation.

Nagle College has both a desire and a responsibility to ensure that high standards of conduct are maintained by staff and students at all times, and that complaints are managed and resolved fairly, efficiently, promptly and in accordance with relevant legislation.

### **Scripture**

“So then, whenever we have an opportunity let us work for the good of all and especially for those of the family of faith” (Galatians 6:10).

### **Mission**

- Develop a safe, nurturing and hope-filled community based on Christ’s message of love, justice and service.
- Be people of dignity, respect, compassion, resilience and unconditional love”.

### **Aim**

The purpose of this policy is to establish a harmonious, positive and productive school environment where complaints are resolved fairly, efficiently, promptly and in accordance with relevant legislation.

Every member of the Nagle College community has the right to raise a complaint and expect that the issue be addressed appropriately and in accordance with the principles of natural justice and in accordance with relevant legislation. The Code of Canon Law requires that justice and reconciliation are at the heart of grievance procedure (Code of Canon Law, 1983 Canon 1733(1)). Effective and timely communication between members of the College community and Nagle College is a critical factor in the prevention and resolution of disputes.

### **Key elements of the complaints handling procedure**

- Impartiality.** If you make a complaint, it will be investigated in a fair and impartial manner. No judgments or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against you, your rights will be protected and you will be given an opportunity to tell your side of the story.
- Confidentiality.** You can feel secure that if you do make a complaint under this policy, it will remain confidential to only those who need to be informed or involved. Normally, the only people who will have access to information about the complaint will be the person making the complaint, the person investigating and the person against whom the complaint has been made.
- No victimisation.** You can also rest assured that if you make a complaint you will not suffer in any way as a consequence. The school authorities will ensure that a person who makes a complaint is not victimised in any way.
- Timeliness.** Each complaint will be finalised within as short a period as possible.
- Subsidiarity.** According to the principle of subsidiarity, decisions should be made at the lowest level possible and the highest level necessary.



### **Implementation**

- a. The Principal will ensure that all staff are aware of their rights and responsibilities with regard to responding to complaints and this policy.
- b. It is incumbent upon the Principal to act where unacceptable conduct is observed or brought to their attention.
- c. The principal will use local complaints resolution procedures where appropriate: for resolving complaints in relation to issues that fall within Nagle College’s area of responsibility. Sexual offences and potential criminal matters should be referred to the police. The Catholic Education Office Diocese of Sale must also be advised of all cases of serious misconduct – sexual offences, potential criminal matters, or other serious incidents.
- d. Where a complaint concerns the school’s compliance with the VRQA minimum standards for school registration, the formal processes will involve notifying the Catholic Education Office Sale of the complaint and cooperating with the Office with regard to investigating the complaint and acting on the outcome.
- e. A complainant may at any stage choose to take their complaint directly to an external agency such as the Catholic Education Office Sale, the Victorian Institute of Teaching, Victorian Equal Opportunity Commission, the Human Rights and Equal Opportunity Commission or the Victorian Registration & Qualifications Authority.

### **Legal Compliance**

The College will always act in accordance with the relevant legislation, Catholic Education Office (CEO)/Catholic Education Commission of Victoria Ltd (CECV) policies and procedures.

### **Actions**

- a. No further action will be taken when the complainant is satisfied with the explanation given at the time of making the complaint or enquiry except when the complaint refers to matters that must be investigated under Child Protection legislation or are criminal.
- b. All complaints, ensuing procedures and outcomes will be fully documented.
- c. The principal, or those persons authorised by the Principal to deal with complaints, may choose to respond to a complaint through an informal process in cases where the complaint is minor, the complainant wishes the matter to be dealt with informally, or where the complaint has arisen from lack of or unclear communication.
- d. Formal processes will be used when informal processes haven’t been successful; a complainant seeks a formal process, or where the complaint warrants formal investigation.
- e. In a situation where the issue cannot be resolved the Principal in consultation with Catholic Education Office personnel will act as the final arbiter in the process.
- f. In the case of a dispute with the Principal the matter should be referred to appropriate governance personnel at the Catholic Education Office, Sale.
- g. Staff members should refrain from using public forums such as staff meetings or “all staff” E-mails messages to publicise their concerns or grievances or make a complaint.



### **Informal resolution process**

In less serious matters in which there is no risk of harm to any person, those involved will be encouraged to deal with the issue personally. Normally this would mean that the relevant people would discuss the issue of concern with a view to reaching an amicable resolution.

### **Formal resolution process involves**

1. Investigating the complaint including formal interviews, written statements, conveying the details of the complaint to the respondent in writing and providing the opportunity for a written response.
2. Dismissing or accepting the complaint.

If the complaint is proved, the following are possible outcomes:

- a written apology;
- an official warning;
- counselling;
- disciplinary action

If the complaint is unproved (not enough evidence), possible outcomes are:

- relevant training for all staff; and/or
- monitoring of behaviour of employees.

If the complaint is proved not to have happened at all, the following are possible outcomes:

- counselling for the person who made the complaint;
- a written apology;
- an official warning;
- disciplinary action

3. Preparation of a detailed confidential report.
4. The Principal will make sure that whatever outcome is decided upon actually happens. The Principal will also assess the effectiveness of the outcome from time to time.
5. If a complainant believes that the complaints procedure has not been followed properly, or that the outcome is unacceptable, he/she may appeal to the Educational Consultant, at the Catholic Education Office, Sale.

### **Evaluation**

This policy will be reviewed as part of Nagle College's review cycle or as required.