

KILLESTER COLLEGE

ISSUES RESOLUTION PROCEDURE



Purpose:

All Catholic Schools are committed to providing a safe and supportive work and learning environment for all employees and students. We acknowledge that employees, students and parents can sometimes feel aggrieved about something that is happening at the school which may cause concern, be upsetting, be discriminatory, or constitute harassment.

An employee, student, parent or community member can have a complaint about any decision, behaviour, act or omission (whether by the Principal, members of the leadership team or other staff/students/parents) that they feel is unacceptable, unreasonable or discriminatory.

Sometimes the aggrieved person can address the issue by raising the complaint directly with the person involved with the issue. However that is not always possible, and sometimes several attempts at local or face-to-face resolution have been attempted or have taken place with little success. Whilst most issues can be resolved through direct discussion with the parties, there may be instances in which to take up the issue with the other person on a face-to-face basis is not possible.

Examples of complaints covered by this procedure include:

- issues related to student discipline procedures
- issues related to learning and teaching
- issues related to relational disputes
- damage/loss of personal property
- bullying and harassment

In conjunction with this complaints procedure, note should be taken of relevant legislation, guidelines, policies and procedures pertinent to the issue, including for instance:

- Occupational Health and Safety issues
- Child Protection issues,
- The Care and Protection of our Children and Young People
- Professional Conduct
- Enrolment Policy and Procedures
- Behavioural Management Policy
- Policy on Ethical Standards for Staff and Associates of Kildare Education Ministries

ISSUE RESOLUTION PROCEDURE

What to do if there is an issue that you feel needs resolution.

- It is important to respond to any situation involving another person or group which you believe is unacceptable. Firstly, you need to let them know that you are unhappy with the situation stating clearly what the issue is. It is important to speak up as the person or group may interpret silence as tacit consent. It will also give them a chance to ensure that there is a resolution to the issue quickly. If, however, you are too unsure, frightened or embarrassed to say anything, you may take your complaint directly to a member of the School Leadership Team or, if applicable, the OHS Committee. You will be told what your options are. It is a good idea to make a written note of the situation including details of dates, times, witnesses, what happened, and what you said/felt. If you are unable to provide such details and you have a genuine belief that you have been treated unfairly, you still have the option of making a formal complaint.
- You can also **get advice** from a friend, member of your family, trusted colleague, Kildare Education Ministries, the Victorian Independent Education Union, the Equal Opportunity Commission of Victoria.
- If you so wish, you may **make a formal complaint** under the College's Issue's Resolution Procedure.
- Be **frank and open** with those who are investigating the complaint about what happened. This will enable appropriate action to be taken.

What the College will do if you make a formal complaint

- The College has a duty of care to provide a harmonious environment and a safe workplace. No matter the issue, complaints will be taken seriously. The complaint will be investigated in a sympathetic, fair and confidential manner. Action will be taken to make sure that any offending behaviour stops. Appropriate warnings or disciplinary action will be taken where inappropriate behaviour, unacceptable conduct or harassment/discrimination is found to have occurred.
- You will not be victimised or treated unfairly for making a complaint.

Key elements of our Issues Resolution Procedure

1. Confidentiality

You can feel secure that if you do make a complaint under this policy, it will remain confidential. The only persons who will have access to information about the complaint will be the person investigating and the Principal.

2. 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.

3. Timeliness

Each complaint will be finalised within as short a period as possible. All complaints should be finalised within one month.

What to do if you have a complaint

Go to the appropriate member of the School Leadership Team or OHS Committee. This person has been trained to be the first point of contact for people with complaints. You will be advised about what your options are and what will happen if you make a formal complaint. If there is a formal complaint an investigating person will be chosen. Nothing will be done in relation to the complaint without your agreement.

What happens next? Once you have made the complaint, the investigating person will consider whether there are reasons why he/she should not proceed to deal with the complaint. For example, the person who you complained about may be a personal friend of the investigator. If there is such a reason that indicates it is inappropriate for the investigator to deal with the complaint, it will, with your consent, be referred to another appropriate person.

The Investigator will then **interview you**. During this interview a number of things will be explained to you, such as what will happen if the complaint is found to be supported by evidence, or if it is found to be not supported by evidence. You will also be told where you can go for assistance if you are not happy with the way the College is dealing with the complaint. The Investigator will take a written record of the complaint.

The Investigator will then **talk to the person** about whom the complaint is made to hear that side of the story. Any witnesses will also be interviewed. These interviews will be conducted separately and impartially. The importance of confidentiality will be stressed to all parties and they will be warned of the consequences if there is a breach of confidentiality. (eg. Possible defamation action, initiation of a complaint for harassment.)

The Investigator will then **tell you what the other people said** and discuss what should be done to sort out the problem. You should tell the Investigator **what action you would like taken** eg. A written apology, a written warning.

Possible Outcomes

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

- A written apology
- An official warning
- Contact with parents in the case of students
- Counselling
- Disciplinary action, or
- Dismissal (within the guidelines of the Certified Agreement)/expulsion.

If the complaint is unproven (insufficient evidence), possible outcomes are:-

- Relevant training for staff.
- Monitoring of staff member's/student's behaviour.

If the complaint is proven 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
- Contact with parents in the case of students
- Disciplinary action
- Dismissal (within the guidelines of the Certified Agreement) /expulsion.

If an official warning, disciplinary action or dismissal/expulsion is suggested by the Investigator, the Investigator will discuss their recommendations with the Principal. The Principal will then decide on the course of action.

Appeals

If you feel that the complaints procedure has not been followed properly, or that the outcome is unacceptable to you, there are several options, open to you:

1. You may **appeal to the Principal**. The Principal will look at the way the complaint was handled and examine the outcome. If they believe it was handled properly and that the outcome was appropriate they will take no further action. If the Principals think that the complaint was not handled properly, or that the outcome was inappropriate, they will organise for the complaint to be looked at again.

If appropriate, the appeal will be dealt with by someone other than the person who first handled the complaint.

2. If you are not happy with the way your complaint has been dealt with by the College, you may seek further advice or assistance from Kildare Education Ministries, Catholic Education Office, Victorian Independent Education Union, Equal Opportunity Commission or other agency.