



DISPUTE AND HANDLING COMPLAINT PROCEDURE

AIM

Catholic schools can serve as models for all within Western Australia who seek to create genuine communities. Such communities are always founded upon shared commitment to the common good (Mandate, 6).

On occasions there may be a disagreement with a decision and a dispute or complaint may arise within a school. The interactions and protocols of Catholic schools emphasise the sacredness of human life and the dignity of the individual.

St Elizabeth's Catholic Primary School is committed to ensuring that disputes and complaints are dealt with fairly, objectively and in a timely manner, and that processes reflect the principles of participation, co-responsibility and subsidiarity.

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| Sources of Authority | |
| CECWA Policy | Community Policy |
| Executive Directive | Dispute and Complaint Resolution Executive Directive |

SCOPE

This procedure applies to all members of St Elizabeth's Catholic Primary School.

DEFINITIONS

Complaint means an expression of dissatisfaction with procedures, decisions, omissions, quality of service, staff or student behaviour at St Elizabeth's Catholic Primary School.

Dispute means a conflict regarding a right, claim, or demand on one side, met by contrary claims or allegations on the other.

Students are defined as children and young people enrolled in schools and early learning and care services.

PRINCIPLES

- All decisions are to reflect the paramount importance of the student(s).

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- Any person may complain orally or in writing about any matter arising from the operations of St Elizabeth's Catholic Primary School.
- St Elizabeth's Catholic Primary School supports the rights of parents/guardians, students and staff to have their complaints taken seriously, and responded to promptly and thoroughly.
- Complainants are personally responsible and liable for the content of their complaints.
- A dispute or complaint made in accordance with this policy is a dispute or complaint about St Elizabeth's Catholic Primary School, notwithstanding the naming of any staff member in a dispute or complaint.
- It is preferable that the complaint is verifiable, however, if a complaint or any other information of unknown origin (i.e. anonymous) provides information that would cause the Principal concern, it should be considered by the Principal so that they can determine the appropriate course of action.
- Disputes and complaints will be managed in accordance with the principle of subsidiarity, which requires that nothing should be done by a higher authority, agency or level that could be done as well or better by a lower.
- Disputes and complaints, and the resolution of such, contribute to continuous learning and improvement so that the potential and opportunity for incidents to be repeated are minimised.
- Any review of a dispute or complaint will be based on procedural fairness.
- Information in a complaint should only be disclosed to those parties who have a need to know in order to investigate and resolve the complaint.
- Once a decision has been made, parties may request a review of the decision, including escalating the dispute or complaint to the Executive Director of Catholic Education in Western Australia.
- St Elizabeth's Catholic Primary School recognises the negative legacy of colonisation and dispossession on Aboriginal and Torres Strait Islander people, as well as the positive impact of learning about and fostering identification with indigenous culture. St Elizabeth's Catholic Primary School committed to:
 - overcoming cultural barriers to disclosure;
 - providing culturally-appropriate means of making complaints;
 - managing complaints by people who are aware of and sensitive to potential complainant's culture and cultural attitudes, including those arising from historical trauma and mistrust of authorities; and
 - facilitating access to culturally-appropriate therapeutic and other services as required.

PROCEDURES

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- St Elizabeth's Catholic Primary School will provide information about the process for dealing with disputes and complaints to parents, students and staff via a range of media; it will be available on the school website and included in the parent handbook.
- A dispute or complaint can be made by any person regarding the provision of education or related matter. Depending on the nature and level of the complaint, it should be made in writing. Where an immediate party cannot be identified, such as if it is anonymous or from an unverifiable source, the information should be assessed and duly considered.
- If a complaint is made by a parent or caregiver to a member of staff, either verbally or in a written format, the complaint needs to be recorded into SEQTA, restricted to the staff member only and a notification sent to the Principal. The Principal will make the final decision to follow-up the complaint as deemed necessary.
- Where there is an appropriate CEWA policy or directive that provides a specific mechanism for addressing the dispute or complaint, that policy or directive shall be followed.
- Where there is a binding legislative or regulatory mechanism (including an Enterprise Bargaining Agreement) that addresses the issue raised in the dispute or complaint, that legislative or regulatory mechanism shall be followed.
- When a dispute or complaint arises, the immediate parties involved should attempt to resolve the issue in the first instance.
- Parties may involve a support person(s) to assist them in resolving the dispute or complaint.
- Should a complainant be dissatisfied with the resolution of a complaint or dispute between the immediate parties, or if there are unique circumstances, the matter can be referred to the next level by the complainant, for example, to the principal.
- The principal is responsible for the resolution of disputes or complaints within the school referred to them by the immediate parties, in accordance with procedural fairness.
- Where a dispute or complaint is about the principal and there is no likelihood that it can be resolved directly with the principal, the immediate parties may refer the dispute or complaint to the Executive Director of Catholic Education.
- A principal must be mindful of managing the wider effects that a dispute or complaint may have on the workplace beyond its resolution.
- The principal may request external assistance and expertise (including mediation), including the involvement of the CEWA Employment and Community Relations Team to assist in the resolution of a dispute or complaint.
- The principal shall inform the complainant (unless anonymous) and relevant parties of the outcome of their decision.

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- The principal shall maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable this will include any statements made by the parties involved.
- Any party may request a review of the principal's decision, in writing, to the Executive Director of Catholic Education.
- The dispute or complaint shall be promptly acknowledged in writing, unless the complainant is anonymous and cannot be identified.
- The Executive Director of Catholic Education shall ensure a formal examination and investigation of the complaint and/or areas of disputation.
- The parties to the dispute or complaint shall be notified of the finding(s) of the dispute or complaint, including the basis of the finding(s). There is no duty to notify an anonymous complainant.
- CEWA shall maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable these will include any statements made by the parties involved.
- The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school's decision.
- A person may make a complaint to an external body or tribunal at any time. The relevant person (i.e. the principal) may choose to suspend addressing the complaint until the external body or tribunal rules on the complaint, or the external complaint is directed back to CEWA for resolution.
- The Principal will record and document, in detail, all formal complaints on the St Elizabeth's Complaints Register. This includes any complaints associated with the CEWA Code of Conduct.

Confidentiality

- Confidentiality applies with respect to both information relating to the person making the complaint, and if relevant, to a person against whom a complaint is made. St Elizabeth's Catholic Primary School is committed to maintaining the confidentiality of information throughout the complaints process.
- Personally identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

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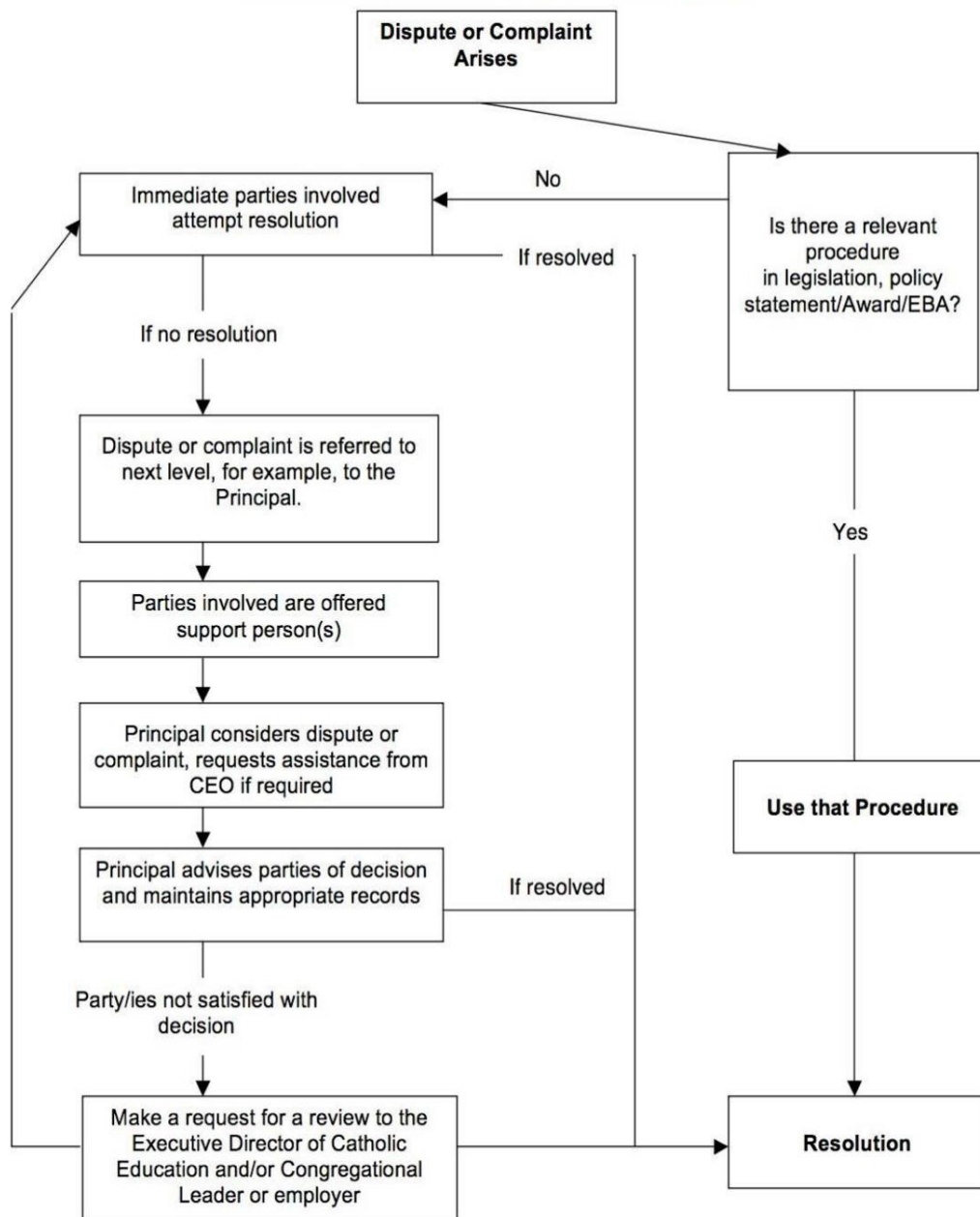
- As far as possible and appropriate, due discretion will be respected and maintained by all parties throughout the resolution process, save where persons are required to be informed on a 'need to know' basis or where investigative, statutory or legal requirements stipulate that matters be disclosed, reported or discussed.
- Where complaints are made in circumstances where an alleged crime may have been committed or the matter falls under the CEWA Child Protection Procedures, the WA Police and CEWA Ltd will be contacted and formally advised.

External reporting requirements

In circumstances involving an allegation or complaint in relation to grooming, child abuse and breaches of the Code of Conduct the school will follow the CEWA Child Protection Procedures (Mandatory Reporting), and the matter is reported promptly to the responsible government authorities.

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Flowchart for Dealing with Disputes and Complaints



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| Authorised by | Principal: Rebecca Clarke | | |
| Effective Date: | 2022 | Next Review: | 2025 |