



# Complaints Policy

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## 1. Policy Scope

This policy outlines how MacKillop Education will respond to complaints raised by parents/guardians/carers and students so that all parties can reach a positive resolution.

## 2. Introduction

MacKillop Education is committed to building a school community that features positive and respectful relationships. Such relationships support the learning and development of students and value the innate dignity of each person. It is important that each member of the community, including staff, parents/guardians/carers and students, are contributors to the building of the school community.

MacKillop Education understands that from time-to-time complaints may arise regarding aspects of the operation of our programs and activities. It is important that all members of the community have the opportunity to be heard. MacKillop Education commits to ensuring procedural fairness when dealing with complaints.

Positive, clear and effective processes for resolving complaints between the school and community members can assist in building strong relationships, dispelling anxiety and ultimately provide students with a settled and happy learning environment.

The following procedures relate to any complaints that members of the community may have – whether these are serious complaints, or relatively minor concerns. This policy aligns with the MacKillop Family Services CO-P-001 Complaints procedure.

## 3. Policy Outline

### Context

Our values of respect, hope, justice, compassion, and collaboration inform the quality of relationships we establish and all that we do to ensure our learning community is a place of welcome and safety. MacKillop Education celebrates diversity, and we are committed to inclusion, so that every student, regardless of race, religion, culture, gender identity or personal circumstances, including barriers to learning, can access education and experience success.

Our model, Reframing Learning and Teaching Environments (ReLATE), supports our trauma-informed practice and highlights the critical partnership between students, parent/guardians/carers, and staff, as we work together, to enhance the learning outcomes for every student.

## Purpose

This policy outlines:

1. The process by which parents/guardians/carers and students (“complainants”) may provide feedback or raise a concern or a complaint regarding MacKillop Education “employees”, students (including complaints regarding child abuse and harm), members of the school community, or a policy or procedure
2. The process by which MacKillop Education will respond to feedback, concerns, or complaints.

This Policy will be accessible on the school’s website.

## Principles

In receiving and responding to complaints, the following guiding principles will direct and shape MacKillop Education’s actions:

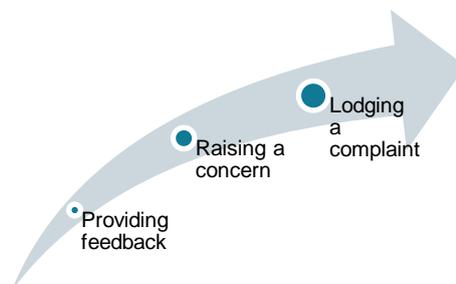
- All MacKillop Education service users have a right to make a complaint, or have someone assist them to make a complaint, about the services that they receive. Volunteers, family members of service users, community members and other stakeholders (or their representatives/ advocates) are also able to make a complaint about MacKillop Education services.
- Complaints are received and managed in a way that is culturally safe and sensitive to the diverse circumstances of children and students, as well as providing support to vulnerable children and students.
- Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the complaints resolution process.
  - The requirement for confidentiality does not override our duty of care or the responsibility to report any allegations of child abuse, neglect, imminent risk of harm.
- Any information provided in the course of a complaint, that raises concerns about the safety of children or young people, will be immediately acted upon by MacKillop Education, irrespective of whether the individual decides to proceed with the complaint. All information regarding concerns about the safety of children or young people is to be escalated to the attention of the Executive Principal and/or MacKillop Family Services Chief Executive Officer and may be required to be reported to police and other authorities in accordance with relevant MacKillop procedure and legislative requirements.
- Complaints about MacKillop Education staff (inclusive of Directors and the CEO) must be managed by roles more senior than the individual that is subject of the complaint.
- Complaints that are unable to be resolved at the local level will be escalated to the Executive Principal.
- Complainants can expect their concern or complaint to be taken seriously and to be responded to in a respectful, thorough and timely manner.
- Staff members and volunteers will be informed of formal complaints that are made about them.
- Complainants and the person/s against whom the complaint is made have the right to be heard and to expect that procedural fairness will be observed.
- The complaints resolution process will seek to achieve the restoration of good and respectful relationships.
- Recordkeeping, reporting, privacy and employment law obligations will be complied with when receiving and handling complaints.
- Details of all complaints will be recorded on a MacKillop Complaint Record (in the RiskMan Feedback Register).

## Definitions

<b>Complaint</b>	An expression of dissatisfaction, frustration or concern with any aspect of MacKillop Education provided services. This includes complaints about safety that may be expressed by service users (students, parents/guardians/carers), volunteers or community members. A complaint may be verbal or written.
<b>Complainant</b>	Is a member of the school community - parents/guardians/carers or students who wish to make a complaint to the school.
<b>Respondent</b>	A staff member, volunteer or student about whose behaviour or practice a complaint is made.
<b>Employee</b>	In this policy a MacKillop Education employee can include: A principal, teacher, education support, administrative or corporate staff member, board or school council employee, contractor, volunteer, school doctor/nurse/medical professional, allied health staff member, or minister of religion or religious leader. It may also include former employees.
<b>Feedback</b>	Views about MacKillop Education programs. Feedback may be positive or negative and may include suggestions for improvement.
<b>Complaint Record</b>	A MacKillop form for recording summary details of complaints. This record is held in the RiskMan Feedback Register.
<b>Investigation</b>	Refers to the process of reviewing and responding to a complaint that has not been able to be responded to promptly and to the complainant's satisfaction.
<b>Complaints register</b>	An electronic database used to record and summarise details and outcomes of client complaints. It is maintained by the MacKillop Family Services Complaints Officer.
<b>A support person</b>	A support person is someone that a complainant or respondent can nominate to attend a meeting with them to provide emotional support and reassurance. The support person's role is to listen, they may make notes and may occasionally speak to the person they are supporting to clarify what they are saying. The support person does not speak on behalf of the complainant or respondent that they are supporting.

## 4. Providing feedback, raising a concern, lodging a complaint

Figure 1. Providing information about your experience at MacKillop Education



## Providing feedback

MacKillop Education seeks to generate a school environment of openness to feedback, as a critical mechanism for on-going improvement and quality assurance. We encourage students and/or parents/guardians/carers to provide feedback about their experiences at MacKillop Education.

Feedback may be positive, letting us know where we have met or exceeded your expectations, or negative, informing us of where improvement is needed. Feedback may be provided as part of an informal conversation, a phone call, a written note or at an appointment with the relevant staff member.

MacKillop Education will also provide formal opportunities for feedback or concerns to be raised such as:

- Annual school improvement survey
- Feedback form available on the MacKillop Family Services website
- Parent forums
- SSG meetings
- Student wellbeing survey

Where appropriate, feedback will be reported to the Local Leadership Team. This feedback will help inform improvements to the services MacKillop Education provides.

## Raising a concern or lodging a complaint

Students and/or parents/guardians/carers may raise a concern about an incident which they feel has adversely impacted their education opportunities or personal health and wellbeing. It is recommended that such concerns are raised in a timely way. MacKillop Education commits to listening and taking seriously any concerns raised.

The following steps guide parents/guardians/carers regarding the procedure for raising a concern or making a complaint about issues arising at MacKillop Education.

### Raising a concern - parents/guardians/carers

1. Contact the relevant staff member (e.g. Key Teacher, Education and Wellbeing Coordinator, Campus Principal/Program Leaders) by a note, phone call, email, text or in person and outline your concerns
2. Make an appointment to speak via phone or in person with the relevant person/s.

The staff member may be able to respond to your concern by return email or telephone with a satisfactory outcome. Sometimes it may be necessary to resolve a misunderstanding, miscommunication or lack of clarity through the support of another person, such as another member of staff or the Campus Principal/Program Leaders.

At the end of your discussion, you will be asked if your concern has been resolved to your satisfaction or if you wish to make a complaint.

### Raising a concern - students

MacKillop Education has developed a Child Safety Internal Complaints Process for students to support them to speak up and inform a staff member if they are feeling uncomfortable or unsafe. Students are reassured that they will be listened to, their concerns will be taken seriously and they will be believed.

Students are informed of the Internal Complaints Process at the beginning of each year and posters are displayed in all learning areas.

## **Lodging a complaint**

If you wish to make a complaint, the Complaint Procedure is initiated. Complaints do not need to be made in writing (although they may be).

The staff member will explain the Complaints Procedure to you and direct you to this policy if you have not already viewed this. They will also establish a clear time frame for the investigation and when you can expect further information from them.

You will not be treated unfairly, discriminated against or denied any service as a result of making a complaint. You are welcome to have a support person with you at any stage in the process or you can approach a MacKillop staff member that you trust and ask them to assist you.

You may also lodge a complaint in writing directly through the MacKillop Family Services website at [mackillop.org.au](http://mackillop.org.au).

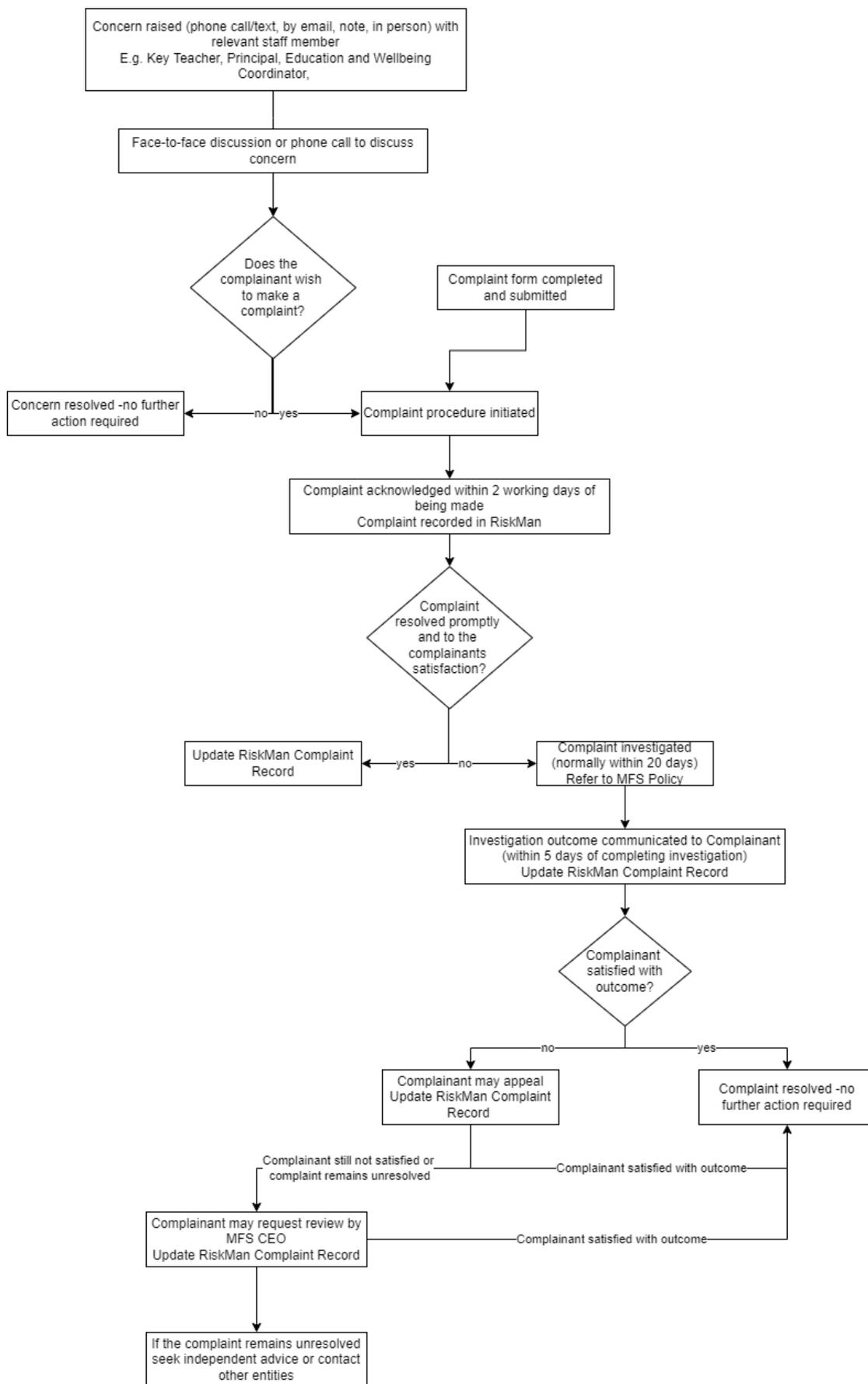
## **Complaints procedure**

In moving to a more formal process, the Campus Principal/Program Leaders or a senior member of staff will undertake an investigation, ensuring procedural fairness is observed:

1. Organise a meeting/telephone conference with you.
  - Direct you to a copy of this policy
  - Establish the timeframe for the investigation of the matter and when you can expect to hear further information or have a resolution
  - Fully document the complaint, including any actions taken to resolve it to date and the outcomes of those actions
2. Further and fully investigate the matter.
  - If necessary, enable a complainant to be accompanied by another person of his/her choice as a support person
  - If appropriate, enable the respondent to respond, and to be accompanied to any meeting by another person of their choice as a support person
3. Advise you of the outcome of the investigation in writing and your options if you are not satisfied with the outcome.

An overview of the Complaints Procedure is provided in Figure 2. For more details regarding the process refer to the MFS CO-P-001 Complaints procedure.

Figure 2. Overview of the Complaints Procedure



## 5. Additional information

### Complaints relating to child abuse (including sexual offences)

Child abuse includes any instances of physical or sexual abuse (including grooming), emotional or psychological harm, serious or significant neglect and family violence involving a child. There are legal obligations on all adults to report child abuse to police once a reasonable belief is formed that a sexual offence may have been committed against a child.

Complaints of alleged child abuse (including sexual offences) of children or school students should also be reported to the MacKillop Education Campus Principal/Program Leaders. If a complaint is made to another staff member, they must inform the Campus Principal/Program Leaders as soon as possible.

MacKillop Education staff members must act and follow the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*<sup>1</sup> as soon as they become aware of a child abuse incident – that is, when a child is experiencing, or is at risk of experiencing, abuse.

### Complaints relating to reportable conduct

Reportable conduct includes the following:

- Sexual offences against, with or in the presence of a child
- Sexual misconduct against, with or in the presence of a child
- Physical violence against, with or in the presence of a child
- Behaviour that causes significant psychological or emotional harm
- Significant neglect.

Complaints of reportable conduct in relation to an employee (which amongst others, includes a teacher, education support staff, administrative staff, contractor, volunteer, and allied health staff member) at MacKillop Education should be reported to the Campus Principal/Program Leaders.

Complaints of reportable conduct involving a Campus Principal/Program Leaders at MacKillop Education should be reported to the Executive Principal, Anne Henderson Ph 0401 646 667 email [anne.henderson@mackillop.org.au](mailto:anne.henderson@mackillop.org.au).

Further information can be found in our Reportable Conduct Policy.

### Complaints relating to misconduct or serious misconduct

All complaints of alleged misconduct or serious misconduct by an employee (which amongst others, includes a teacher, education support staff, administrative staff, contractor, volunteer, and allied health staff member) should be reported to the MacKillop Education Campus Principal/Program Leaders.

Complaints about teachers can also be reported to the Victorian Institute of Teaching (VIT) – the regulator in relation to the registration and investigation of serious misconduct (including conduct which is of a physical or emotional nature) of all teachers in the state of Victoria. If unsure whether

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<sup>1</sup> PROTECT: Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse, DET,

the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or [vit@vit.vic.edu.au](mailto:vit@vit.vic.edu.au).

In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should be reported to and investigated by the police. Initial consultation with the Campus Principal/Program Leaders may help to determine the appropriate course of action in these circumstances.

## **Complaints in relation to Information Sharing Schemes**

MacKillop Education is a prescribed Information Sharing Entity (ISE) that may share information under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS).

MacKillop Education, as an ISE, may receive complaints from individuals in relation to its conduct as an ISE under the CISS or FVISS. It may also receive a complaint from another ISE. These complaints should be made to the Campus Principal/Program Leaders.

## **Complaints against a MacKillop Education Campus Principal/ Program Leaders**

In the case of a complaint involving a MacKillop Education Campus Principal/Program Leaders, the Executive Principal, Anne Henderson [anne.henderson@mackillop.org.au](mailto:anne.henderson@mackillop.org.au) Phone 0401 646 667 should be informed immediately.

## **Complaints against the clergy or other persons involved in religious ministry**

If the complaint relates to the clergy or other persons involved in religious ministry with MacKillop Education the complainant should contact and seek advice from the Professional Standards unit of the Vicar General's Office in the Archdiocese of Melbourne, 383 Albert Street, East Melbourne. Visit [www.melbournecatholic.org](http://www.melbournecatholic.org) or contact 03 9926 5677. If the person is a member of a religious order, the complainant should also contact the provincial head or professional standards office of that congregation or religious order.

## **Expectations of, and information for, parents/guardians/carers**

In making a complaint, MacKillop Education requests and expects that the complainant will:

- Raise the concern or complaint as soon as possible after the issue has arisen
- Communicate and respond in ways that are constructive, fair and respectful
- Provide complete and factual information about the concern or complaint
- Observe confidentiality and a respect for sensitive issues
- Act in good faith to achieve an outcome acceptable to all parties
- Have realistic and reasonable expectations about possible outcomes/remedies.

If your concern/complaint relates to your treatment or your child's treatment by another student, students or family member while at MacKillop Education we expect that you will refer your complaint directly to the school, via your child's key teacher, Education and Wellbeing Coordinator or Campus Principal/Program Leaders.

Under no circumstances should you approach another student in the care of the school to discuss the issue or chastise them. Direct contact with parents/guardians/carers to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the school.

## **Anonymous Complaints**

MacKillop Education may be unable to deal with complaints that are made anonymously if there is insufficient detail for investigation or resolution of the matter.

Where possible, complainants are encouraged to give their names and to be reassured that we will deal with complaints professionally and in accordance with procedural fairness and confidentiality. If the complainant wishes to remain anonymous, it is at the Campus Principal/Program Leaders' discretion what, if any, action will be taken.

## **Recording complaints**

All complaints received by MacKillop Education will be recorded on RiskMan. This helps us to identify key risk areas or any whole-school issues which, if left unresolved, could lead to harm or injury or more serious concerns.

The following information about complaints received will be recorded:

- Contact details of the complainant
- Date of complaint and method of communication
- Nature of the complaint and the requested resolution
- The name of the staff member handling the issue
- Any actions and the timeframe taken, minutes of meetings and communication
- A statement of the outcome, including the closure date and date of advising the complainant of the outcome.

## **Withdrawal of a complaint**

A complaint can be withdrawn at any stage during the complaint management process. A complaint should be retracted in writing by the complainant and addressed to the Campus Principal/Program Leaders or the MacKillop Family Services, Manager Quality & Compliance.

MacKillop Family Services  
Manager Quality & Compliance  
Zoe London  
237 Cecil St  
South Melbourne  
Ph: 03 9257 2329  
Email: [zoe.london@mackillop.org.au](mailto:zoe.london@mackillop.org.au)

## **Response to Complaints**

Where appropriate, MacKillop Education may seek to resolve a complaint by:

- A change of policy, procedure or practice
- Acknowledgement of complainant's views or issues
- Advice/referral/information
- An apology
- Change/review of decision
- Corrective action
- Explanation
- Mediation - with an internal or external mediator

- Offering the opportunity for student counselling or other support
- Referral to investigation
- Other actions consistent with MacKillop Education values that are intended to support the student, parent/guardian/carer and school relationship, engagement and participation in the school community

## Complaint escalation

When a complaint is serious or the complaint is not resolved it may be referred to the MacKillop Family Services, Chief Executive Officer for review:

Robyn Miller  
 Ph 03 9257 2267  
 Email: robyn.miller@mackillop.org.au.

If the complaint is unable to be resolved to the satisfaction of the complainant, but the matter is however finalised, the complainant has the right to:

- Seek alternative independent or other advice, or
- Contact other entities such as:
  - Victorian Equal Opportunity and Human Rights Commission
  - Victorian Civil and Administrative Tribunal (VCAT)
  - Victorian Registration and Qualifications Authority (VRQA).

## Complaint Form

The MacKillop Education Complaint Form may be used to lodge a complaint. The Complaint Form may be downloaded from the MacKillop Family Services website or a copy may be obtained from the campus office. It should be submitted to the campus Office Manager or Campus Principal or the Program Leaders.

## 6. Related MacKillop Education and MacKillop Family Services Policies

- Child Safety Code of Conduct
- Child Safety Responding and Reporting Obligations Policy and Procedure
- Reportable Conduct Policy
- MFS CO-P-001 Complaints procedure

## 7. Appendix

Appendix I MacKillop Education Complaint Form

## 8. Approval and Review Details

Approval and Review	Details
Approval Authority	Executive Principal
Approval Date	9 August 2022
Advisory Committee to Approval Authority	MacKillop Education Leadership Team
Next Review Date	August 2024

Approval and Amendment History	Details
Superseded Policy	Managing Complaints and Grievances Policy, 2020
Notes	Major review and rewrite of policy to align with the new Victorian Child Safe Standards and Ministerial Order 1359

