

SIENA COLLEGE CAMBERWELL SCHOOL COMPLAINTS HANDLING POLICY



SIENA
COLLEGE
CAMBERWELL

POLICY TITLE: SCHOOL COMPLAINTS HANDLING POLICY

DEVELOPED / REVIEWED BY

Principal
College Executive
Risk and Compliance Manager
Siena College Policy Committee
MACS (Melbourne Archdiocese Catholic Schools)

REVIEW SUMMARY

Siena College is committed to building a community that features positive and respectful relationships. Within our College, relationships are founded in the gospel values of justice, compassion, reconciliation, and kindness. 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, and students, are contributors to the building of the school community. A timely and professional response to complaints is an effective means of encouraging communication, building trust, and resolving issues for the betterment of all concerned.

DOCUMENT DEVELOPMENT PROCESS

This document was first developed by Deputy Principal Wellbeing and Strategy, Antonella Rosati, in May 2022 considering the new Child Safe Standards coming into effect from 1 July 2022.

RATIONALE

Siena College understands that from time-to-time complaints arise regarding aspects of our College operation of programs and activities and that it is important that all members of the community have the opportunity to be heard. Siena College commits to ensuring procedural fairness is observed when dealing with complaints and grievances.

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

The Siena College Codes of Conduct for parents/guardians/carers and students outline the expectations of behaviour for members of our community. The following procedures relate to any concerns that members of the community may have – whether these are serious grievance issues, or relatively minor concerns.

DEFINITIONS

Complaint	A complaint is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue
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PRINCIPLES / GUIDING PRINCIPLES

In receiving and responding to complaints, the following guiding principles will inform and direct Siena College actions:

- Complaints of a College-based nature are best received and managed at the College level, with the parties involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties. Complaints that are unable to be resolved at the local level may be escalated to the MACS Eastern Office, Dominican Education Australia, or the College Board. 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.
- 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.
- Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the complaints resolution process.
- The complaints resolution process will seek to achieve the restoration of good and respectful relationships.
- The best interests of the College community together with the interests of the individual will be considered.
- Recordkeeping, reporting, privacy, and employment law obligations will be complied with when receiving and handling complaints.

PROCEDURES

Providing Feedback to Siena College

Siena College has procedures and processes in place by which parents/guardians/carers and the broader College community can confidently raise concerns in the knowledge that they will be listened to, and their concerns will be professionally managed in a timely, confidential and appropriate manner.

Relationships with the College community are important to us. We take complaints raised by parents/guardians/carers and the broader College community seriously. There are many avenues to provide feedback to College staff. These include:

- Formal parent/guardian/carer surveys
- Emails to community@siena.vic.edu.au
- Meetings/calls/emails with the Principal or other staff members to express concerns

Who to Contact to Make a Complaint to?

The nature of the complaint will determine who is the most appropriate person or body to manage the concerns raised. Complaints should be directed to the subject teacher/Head of House in the first instance.

For complaints of a serious nature involving College staff, the following additional information is provided.

Misconduct or Serious Misconduct

All complaints of alleged misconduct or serious misconduct by a teacher, staff member or volunteers should be reported to the Principal of Siena College.

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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 the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or 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 principal of Siena College may help to determine the appropriate course of action in these circumstances.

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.

Complaints of alleged child abuse (including sexual offences) of children or College students should be reported to the Principal of Siena College.

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.

Failure to disclose a sexual offence against a child is a criminal offence under section 327 of the Crimes Act 1958 (Vic.) (Crimes Act) and applies to all adults (18 years of age and over) in Victoria.

Communication with children under 16 years of age by teachers, staff, or any other person to prepare or groom a child for future sexual activity is a criminal offence under section 49M (1) of the Crimes Act and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age.

Complaints against the Principal of Siena College

In the case of a serious complaint involving the Principal of Siena College, the Chair of the College Board may be contacted. As a ministry of Dominican Education Australia, Siena College is governed by a Board of Directors at the local level. Both Chairs can be contacted through the Company Secretary:

tgrant@siena.vic.edu.au

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 Siena College, 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 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.

Anonymous Complaints

Siena College endeavours to address and respond to all complaints. In some situations, we may not be able to fully address complaints that are made anonymously or without sufficient detail being provided to enable an inquiry or resolution of the matter. To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them. Where possible, complainants are encouraged to give their names and to be reassured that we will deal with

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complaints professionally and in accordance with procedural fairness and confidentiality. If the complainant wishes to remain anonymous, it is at the Principal's discretion what, if any, action will be taken. Anonymous complaints will be recorded in the same manner that all other complaints are recorded.

Complaints in Relation to Information Sharing Schemes

Siena College 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).

The College, 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.

The following information is recorded where a complaint is received under the CISS or FVISS:

- The date the complaint was made and received
- The nature of the complaint
- The action taken to resolve the complaint
- The action taken to lessen or prevent the issue from recurring
- The time taken to resolve the complaint
- Further action taken if the complaint was not resolved

Complaints Relating to Reportable Conduct

As of 1 July 2017, the Victorian Government legislated for the introduction of a Reportable Conduct Scheme (RCS) to improve how organisations respond to allegations of child abuse and child-related misconduct by employees, volunteers, and contractors.

Legal obligations are imposed on the College Principal to report to the Commission for Child and Young People (CCYP), and investigate allegations of reportable conduct, where those allegations are based on a person's reasonable belief that reportable conduct or misconduct involving reportable conduct has occurred.

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 relating to a reportable conduct allegation which meets the requisite threshold, and which involves a Siena College employee (which amongst others, can include a teacher, principal, volunteer or contractor) must be reported.

Complaints of reportable conduct in relation to an employee (other than a Principal) at Siena College should be reported to the Principal. In the case of a serious complaint involving the Principal of Siena College, the Chair of the College Board may be contacted. As a ministry of Dominican Education Australia, Siena College is governed by a Board of Directors at the local level. Both Chairs can be contacted through the Company Secretary: tgrant@siena.vic.edu.au

Further information can be found in the College Reportable Conduct Policy

<https://sienacentral.siena.vic.edu.au/send.php?id=46655>

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Procedures for Complaints about Issues at Siena College

Siena College has developed and maintains a fair, effective and efficient complaints-handling procedure so that complaints about events or decisions at Siena College can be addressed. The following steps can guide the procedure in making a complaint about issues arising at Siena College.

Clarify the issue

- Be clear about the topic or issue to be discussed
- Be mindful of the need to ascertain all the facts relating to the circumstances of the topic or issue.
- Think about what an acceptable outcome would be
- Check and observe the Siena College complaints handling policy

Making the complaint

- Write an appropriate note or email to the relevant person (e.g. classroom teacher/Head of House) outlining your concerns
- Make an appointment to speak via phone or in person with the relevant person/s
- Consider speaking with the Siena College Director of Students/Deputy Principal Wellbeing and Strategy, if appropriate
- Arrange meeting times or phone calls through the Siena College office
- Ensure the relevant person/s is given a reasonable amount of time to take the steps required to resolve or address the concerns

Contact the Principal or a Deputy Principal:

- If the issue remains unresolved after discussion with the relevant person/s at the College, request an appointment, through the Siena College Reception, to discuss the concern with the Principal or a Deputy Principal.
- The Principal may be represented by another senior staff member. If the relevant staff member is going to be present at the meeting, the meeting time is more likely to occur outside classroom hours.

Expectations of and Information for Parents/Guardians/Carers

In making a complaint, Siena College 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 Siena College, we expect that you will refer your complaint directly to the school, via your child's class teacher, a deputy principal or principal. 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 to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the school.

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Parents/guardians/carers who are unreasonable, threatening, or discourteous can expect their discussions with the Principal to be terminated until such time as an alternative discussion time is arranged by the College.

RESPONSIBILITY

- Principal (Primary responsibility)
- College Executive

RELATED LEGISLATION

- Education and Training Reform Act 2006 (Vic.)
- Education and Training reform Regulations 2017 (Vic.)
- Charter of Human Rights and Responsibilities Act 2006 (Vic.)
- Privacy Act 1988 (Cth.)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth.)
- Privacy Act (Notifiable Data Breaches) Act 2017 (Cth.)
- Privacy Act (Data Protection Act) Act 2014 (Vic.)
- Crimes Act 1958 (Vic.)
- Wrongs Act 1958 (Vic.)

RELATED SIENA COLLEGE POLICIES

- Child Safety and Wellbeing Policy 2022
- Mandatory Reporting Policy 2022
- Discrimination and Harassment Free Workplace Policy 2021
- Pastoral Care Policy 2019
- Privacy Policy 2019

RELATED DOCUMENTS

- Siena College Strategic Plan
- Restorative Practices in Catholic College Communities
- Victorian Teachers Code of Conduct
- Siena College Staff Handbook

NEXT REVIEW

June 2025

POLICY LOCATION

<https://sienacentral.siena.vic.edu.au/send.php?id=46654>

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