



Mary MacKillop College
Kensington

Version: FINAL

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Parent Complaint Policy

Be a
MacKillop
girl...

know more • do more • be more



Introduction

Mary MacKillop College is owned and governed by the Sisters of St Joseph of the Sacred Heart. As a Catholic College founded in the tradition of St Mary of the Cross MacKillop, the College is committed to ensuring the delivery of high quality education and care to all students. Mary MacKillop College enjoys a singular privilege in both its location and its connection to the life and legacy of St Mary of the Cross MacKillop.

As a school steeped in the values of St Mary of the Cross MacKillop and the Sisters of St Joseph, Mary MacKillop College strongly believes in and values the Restorative Practices philosophy. Such an approach to education and pastoral care, provides our young women with opportunities to develop self-discipline and positive behaviours in a caring, supportive environment.

Pastoral Care at Mary MacKillop College is based on the principles of Restorative Justice. It is aimed at changing student behavior and working towards reconciliation while still maintaining respectful interaction.

A restorative approach:

- Encourages students to appreciate the consequences of their actions for others;
- Enables students to make amends where their actions have harmed others
- Requires students to be accountable for their actions;
- Encourages respect for all concerned.

This policy meets the requirements and expectations of the Sisters of St Joseph of the Sacred Heart and those of Catholic Education South Australia (CESA).

Purpose

The purpose of this policy is to provide clear and transparent information to parents, the community and staff on how concerns and complaints will be managed and resolutions found. It is the intent of this policy to ensure that parents have access to support and advice when attempting to resolve a concern or complaint.

The College is committed to working in partnership with parents to resolve any concerns or complaints that they may have about their child's schooling and is a key part of how we deliver this commitment.

It is recognised that, at times, complaints may be received by the College from parents (including guardians and any person with whom a student normally or regularly resides) in our community. This policy sets out guidelines and processes by which such matters can be addressed respectfully, professionally and with sensitivity to all concerned.

Parents can expect that their concern or complaint will be responded to in a courteous, respectful and timely manner and that staff will work in partnership with them to resolve their concern or complaint. Staff will follow a process that is founded on fairness, impartiality, accessibility, respect and responsiveness. In return, we ask that parents are respectful, co-operative and courteous to staff and that they are realistic and reasonable about what course of action is required to resolve their concern or complaint.



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For the purpose of this policy a complaint or grievance is an expression of dissatisfaction with a real or perceived situation or outcome.

The dissatisfaction may be based on a perception that the College has:

- done something wrong; or
- failed to do something it should have; or
- acted unfairly or inappropriately.

The complaint may be about the College as a whole, about a specific department in the College or about an individual member of staff or student.

Policy and Procedure Detail:

Neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to directly intervene in any complaints relating to the operations of a non-government School.

1. Mary MacKillop College is committed to:

- Providing a working and learning environment that is safe and fair.
- Promoting our College values and nurturing Respectful Relationships.
- Minimising the incidence of conflict that might give rise to a serious complaint.
- Supporting the right of every member to have his or her complaint lodged, listened to, addressed fairly and dealt with as soon as practicable.
- Meeting its moral and legal obligations (i.e Mandatory Reporting).
- Maintaining high levels of communication and record keeping.
- Providing adequate training and support for people with responsibility to investigate and mediate on serious complaints.

2. Lodging a Complaint – Principles

The following principles will apply to the lodging of a complaint:

- 2.1 The health, safety and wellbeing of all members of the College community remain the highest priority.
- 2.2 Complaints should be lodged in good faith and without frivolous, malicious or vexatious intent.
- 2.3 Every reasonable effort will be made by the College and its representatives to ensure that a parent who lodges a complaint or anyone dealing with or involved in the complaint will not be treated unfairly, victimised, coerced or intimidated.
- 2.4 Communication and resolution processes should always be based on the parties acting in good faith, exercising good judgement, being honest and open, and focusing on the issue and not the person(s)
- 2.5 Each complaint is to be dealt with on its particular circumstances and merits and any settlements reached or determinations made through the resolution process will not necessarily constitute a binding precedent for future similar cases.



- 2.6 In responding to a complaint, informally or formally, every reasonable effort shall be made to ensure that natural justice and procedural fairness are afforded to all parties. This means, in practical terms, that:
- All parties are entitled to be treated with respect and to be heard.
 - All parties should participate fully in the resolution process to achieve an outcome that is realistic and reasonable.
 - A person who is the subject of a complaint should be informed of the substance thereof and given a full opportunity to present their perspective.
 - All parties have a right to seek advice and support.
 - Investigations and proceedings must be conducted fairly, thoroughly and without bias or undue delay.
 - Parties should provide all relevant, material, complete and factual information, documents or other evidence relating to the complaint.

3. Informal resolution of complaints wherever possible

- 3.1 Many complaints may be minor in nature, or readily resolved and often arise from genuine misunderstandings and/or issues relating to communication. In the vast majority of cases, these can be satisfactorily resolved informally.
- 3.2 The College supports complainants, wherever possible and as soon as practicable after a matter becomes of concern, to seek to resolve a complaint in an informal and amicable manner. This is best done through direct communication/discussion by and between the parties themselves (i.e a parent and teacher).
- 3.3 Formal procedures for the resolution of complaints should only be invoked when a matter is of very serious nature and/or cannot be resolved by the parties themselves through informal means.

4. Formal and serious complaints

- 4.1 Complaints that cannot otherwise be resolved pursuant to 3.1 and 3.2 above or are of a serious nature may be referred to or should be lodged formally and in writing to the following staff:
- Pastoral Care Co-ordinator
 - Director of Curriculum
 - Deputy Principal
 - Principal
- 4.2 In such instances, a parent may also seek advice or clarification from any of the aforementioned staff about the appropriate person(s) in the College to whom the concern or complaint might best be directed.
- 4.3 As soon as practicable after a formal written complaint has been lodged, a process will be put in place by the College to investigate the complaint.
- 4.4 The investigative process in relation to formal complaint will include but not necessarily be limited to: gathering relevant and material information relating to the complaint, meetings convened of the parties to discuss the complaint and to seek a resolution. If a resolution cannot be found, a determination will be made by the College, based on thorough investigation, as to whether or not to uphold the complaint.



- 4.5 If the complaint is substantiated, the evidence is inconclusive or if the complaint is found to not be substantiated, all parties will be formally advised accordingly, along with any follow-up counselling or other actions as the parties agree and/or the College deems appropriate and necessary in all the circumstances.

5. Referral of a complaint to the College Board of Governance

The College is owned by the Trustees of the Sisters of St Joseph and is operated as a corporate entity called 'Sisters of St Joseph Mary MacKillop College Kensington Limited.'

- 5.1 As a general rule the Chairperson of the Board and Directors of the College Board are not directly involved in the first instance with the receipt, investigation or resolution of a serious complaint other than grievances within the College Board of Governance itself.
- 5.2 In instances where a complaint is about the Principal, a person may, if they feel the matter cannot be otherwise be resolved or feels it is appropriate to do so, lodge a formal complaint with the Chairperson of the Board. In turn, and in consultation with the complainant, the Chairperson of the Board will expeditiously take all reasonable steps to have the complaint fully investigated and to facilitate a resolution.

6. Documentation and Record Keeping

It should be noted that:

1. Documents that may be created during the course of investigations and handling a complaint might have to be produced in legal proceedings. It is important this be borne in mind at all times.
2. The record should contain clear and accurate notes of conversations with parents, students and staff, including dates, statements, relevant files and outcomes.
3. Records will be very useful if further disputation occurs or in the case of future legal action. An appropriate records management system will be established by the College to protect the privacy of the individual(s) concerned and which contains full details of the complaint and subsequent actions taken to resolve the matter.

7. Referral of a complaint to an external authority

- 7.1 Where a serious complaint is not or cannot be resolved within the College, the parties may seek assistance from outside professional agencies to judicial bodies in order that a further attempt can be made to resolve the matter.
- 7.2 *Neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to directly intervene in any complaints relating to the operations of a non-government School.*

8. Confidentiality

Confidentiality should be adhered to throughout the complaint resolution process. This means that the complaint should only be discussed with those people directly involved in the resolution process.



Observing confidentiality helps to protect the rights of everyone by limiting knowledge of the details of the complaint to those who will work together for a resolution. In addition, it helps to limit damage to any existing trust between the parties, thereby facilitating a resolution and developing greater confidence in one another.

"The College will treat your complaint with respect and sensitivity. However, you should not assume that your communications with the College, or any documents you may supply to the College, will necessarily be kept confidential. Although the College will endeavour to deal with complaints with appropriate discretion, the College reserves the right to disclose details of the matter to other persons who in the College's opinion, need to know them in order to facilitate the resolution of the complaint"

9. Anonymous complaints

9.1 If a parent chooses to make a complaint without disclosing their identity, this will limit the options for proper and thorough investigation and resolution. It also raises issues in relation to procedural fairness for those who have a complaint made about them as they have a right to know the particulars of the complaint and to respond. The College therefore cannot guarantee that anonymous complaints can or will be dealt with.

10. Obligation to notify or report

10.1 Where complaints are made in circumstances where an alleged crime may have been committed or the matter falls under the Reporting Abuse and Neglect provisions, the Police or similar outside agencies (ie Child Abuse Report Line) will be contacted and formally advised.

11. Withdrawal of a complaint

11.1 A parent may withdraw a complaint at any stage of the resolution process. If a complaint is withdrawn, the matter will be deemed to be closed, unless the College, at its discretion and in all the circumstances, wishes to continue to address a matter raised.

12. Distribution of this Policy

12.1 This Policy, and any changes or updates thereto, is made available to all staff (via the College network) and Parents of the College (via the College website).



Flowchart of Parent Complaint Policy

