Melbourne Archdiocese
Catholic Schools

St Bernard's Parish Primary School Complaints Handling Policy

St Bernard's Parish Primary School is a school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by Melbourne Archdiocese Catholic Schools Ltd (MACS).

Introduction

St Bernard's values and encourages open and positive relationships with our school community. We understand that it is in the best interests of students for there to be a trusting relationship between families and our school. 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.

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

Purpose

This policy seeks to ensure that St Bernard's manages and responds to complaints in a way that:

- promotes the health, safety and wellbeing of students
- ensures consistent and fair complaints management
- improves the outcomes of complaints with a focus on collaboration and resolution
- meets its legal and regulatory obligations

Scope

This policy relates to formal complaints raised by students, parents/guardians/carers or members of our school community. It applies to all matters relating to St Bernard's, or the behaviour of any person within the school including employees, volunteers, contractors, families, students, subject to the below exclusions.

In the day to day running of a school, students, parents/guardians/carers may also have queries, concerns or areas requiring clarification. These matters are not considered complaints, and St Bernard's encourages its staff to work collaboratively with students, parents/guardians/carers and members of the school community to resolve informally with the wellbeing of the student at the centre. If a matter is unable to be resolved in this manner, then it may escalate to a complaint under this Policy and Complaint Handling Procedure.

Matters outside scope of this policy

This policy does not relate to matters where there are existing rights (and processes) for review. This includes matters relating to criminal activities, fraud and corruption, legal claims, privacy, suspensions and expulsions, critical incidents, emergency management, criminal offences, the School Community Safety Order (SCSO) Scheme, the conduct of the clergy or other persons involved in religious ministry and employment matters. Please see below details for further information regarding the process for specific matters.

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 St Bernard's.

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 St Bernard's 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 school students should be reported to the principal of St Bernard's.

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 relating to reportable conduct

Legal obligations are imposed on the MACS Head of Entity 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 MACS 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 a MACS primary school or MACS secondary college should be reported to the principal of the school. Complaints of reportable conduct involving a principal at a MACS primary school or MACS secondary college should be reported to the relevant regional general manager. Further information can be found in the school's Reportable Conduct Policy.

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 St Bernard's, 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.

Information Sharing

St Bernard's 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). As an ISE, the school 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

Anonymous complaints

St Bernard's endeavours to address and respond to all complaints. In some situations, it may not be possible to fully address complaints that are made anonymously or without sufficient detail being provided to enable a review 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 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.

Policy

St Bernard's is committed to building a school community that features positive and respectful relationships that support the learning and development of students and value the innate dignity of each person.

St Bernard's will promote the education and wellbeing of students and collaboration with their families and other members of the school community through a clear and accessible complaints process.

Positive outcomes can be achieved when everyone works together in good faith and in a respectful way.

St Bernard's is committed to empowering our students to participate and where possible, be a part of decision making that impacts their educational journey.

Complaints will be managed in a way that is culturally safe and sensitive to the diverse circumstances of students and their families, as well as providing support to vulnerable students and families.

Complaints will be taken seriously and responded to in a timely manner.

St Bernard's will abide by the principles of procedural fairness.

Providing feedback to St Bernard's Parish Primary School

Feedback from the school community is important to us. There are many avenues to provide feedback to school staff outside of this policy. These include:

- annual formal parent/guardian/carer survey
- formally scheduled parent/guardian/carer feedback forums
- meetings with the principal or other staff members to express concerns
- parent surveys via Compass
- meetings with the classroom teacher
- formal Parents and Friends or School Advisory Council meetings

Roles, responsibilities and reporting

Role	Responsibility	Reporting requirement (if applicable)
Consideration of a complaint made to a MACS school	Principal may seek advice and direction from Regional General Manager	Principal to record complaints in school complaints register
Consideration of a complaint made or escalated to the MACS regional office	Regional General Manager may seek advice from other business units at MACS or escalate to the Director – Learning and Regional Services	Regional General Manager to enter escalated complaints into Polonious
Consideration of a complaint about a principal escalated beyond the MACS school	Escalation to MACS Executive Director (or the delegate of the Executive Director) in accordance with Complaints Handling Framework	Regional General Manager to enter escalated complaints into Polonious

Procedures

Procedures for the processes used to manage complaints are documented separately as St Bernard's Complaints Handling Procedures.

Definitions

Complaint

A formal expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue.

Complainant

The person or persons who have raised a complaint with the school.

Head of Entity

In accordance with section 3 of the Child Wellbeing and Safety Act 2005 (Vic.), the head of an organisation is the person who is "primarily responsible for an organisation's compliance with the Reportable Conduct Scheme. Except for in limited circumstances, the head of entity will be the chief executive officer of the entity (however described) or if there is no chief executive officer, the principal officer of the entity (however described) or if there is no chief executive officer or principal officer, a person or position nominated by the entity and approved by the Commission for Children and Young People" .

Related policies and documents

Supporting documents

St Bernard's Complaints Handling Procedures

Related MACS policies

St Bernard's Bullying Prevention Policy
St Bernard's Child Safety and Wellbeing Policy
Child Safety and Wellbeing Recordkeeping Policy
Code of Conduct – Parent/Guardian/Carer
Complaints Handling Policy for MACS Schools
St Bernard's Privacy Policy
PROTECT – Identifying and Responding to Abuse – Reporting Obligations Policy
Reportable Conduct Policy
School Community Safety Order Scheme Internal Review Process
St Bernard's Suspension of Students Policy
St Bernard's School Expulsion of Students Policy
Whistleblower Policy

Legislation and standards

Child Wellbeing and Safety Act 2005
Crimes Act 1958
Education and Training Reform Regulations 2017

Policy information table

Responsible director	Director, Governance, Legal and Compliance
Policy owner	General Manager, Legal and Professional Standards
Approving authority	MACS Board
Assigned board committee	Child Safety and Risk Management
Approval date	October 2023
Risk rating	Extreme
Date of next review	June 2026
Publication details	CEVN, school website

POLICY DATABASE INFORMATION	
Assigned framework	Complaints and Complex Issues Framework
Supporting documents	Refer to the list of supporting documents above
Superseded documents	Complaints Handling Policy – v3.0 – 2022 Complaints Handling Policy – v2.0 – 2022 School Complaints Handling Policy – v1.0 – 2021
New policy	