

1. Related Policies

Complaints – Intake and Management
Guidelines for Professional Conduct in the protection of Children and Young People
Anti-Discrimination and Anti-Harassment Policy
Anti-Bullying Policy

2. Purpose

Catholic Education, Archdiocese of Canberra and Goulburn (**Catholic Education**) defined as the System Schools and the Catholic Education Office (CEO) recognises that its **Workers** (defined below), School Participants (including students and community members of the Archdiocese of Canberra and Goulburn Catholic Systemic Schools) and general community may have grievances about various matters.

Catholic Education is committed to ensuring that workplace behaviours are consistent with its values and principles and support the overall mission of the Catholic Church and Catholic Education.

The purpose of Catholic Education's Complaints Policy (**Policy**) is to:

- (a) outline the principles Catholic Education will follow when dealing with workplace complaints;
- (b) promote harmonious, productive and cooperative workplace relationships and environments; and
- (c) promote responding to minor workplace complaints in a manner designed to resolve them before they escalate into more serious matters.

The Catholic Social Teaching Principle of Subsidiarity is recognised as an important element of resolving complaints in accordance with this Policy. Wherever possible, decisions should be made at the lowest possible level, closest to the affected persons. To assist in implementing this principle, a flowchart is attached to this Policy to assist Complaint Managers with the preliminary assessment and process required for dealing with a complaint.

3. Policy

This Policy applies to all Catholic Education **Workers**, which include: employees, contractors, sub-contractors, workers holding positions due to their religious devotion, apprentices, trainees and volunteers.

All complaints should be treated seriously, dealt with as soon as practicable and conducted in a fair, impartial and professional manner, affording procedural fairness to the parties concerned. The parties should be informed of the process, timeframe outcome and any action to be taken, if appropriate.

Anonymous complaints often pose a risk of depriving the alleged offender of natural justice and harming their reputation. Such allegations will only be acted on after assessing the seriousness of the allegations, clarity in the detail of what is alleged, the extent to which the allegations are based on reliable information rather than hearsay, the reason for anonymity and other factors. Acknowledgment of such complaints cannot occur if there is no way of identifying or contacting the person who made the allegations.

This Policy is not intended to create a set of rigid procedures that must be strictly followed when a workplace complaint is raised. The process for dealing with a particular complaint will vary depending on its nature, seriousness and the relevant circumstances. Consequently, this Policy outlines a number of methods that may be used in attempting to address and resolve workplace complaints. These methods may be adapted to accommodate the need for natural justice and expeditiousness.

4. Definition of a Complaint

What is a Workplace Complaint?

A workplace complaint is a statement, written or oral, raised about a Worker regarding a genuine work-related concern. Some examples include: interpersonal conflict, perceived breach of privacy, inappropriate behaviour towards a student, dissatisfaction with the allocation of work or development opportunities, perceived unfairness, or alleged bullying, discrimination or harassment in the workplace.

Workplace Complaints and Performance Management

Managing workplace complaints should not be confused with performance management. Workplace complaints are grievances and complaints raised by individuals against Catholic Education Workers. Performance management relates to the management of an employee's work performance by Catholic Education.

A workplace complaint may result in performance management being undertaken by the School or CEO, for example where poor performance is identified as result of a complaint.

Conversely, a workplace complaint may also be raised by an employee during a performance management process. The School or CEO may choose to deal with a complaint under this process, even while the performance management process is continuing independently of the complaint process.

5. How do you make a complaint?

If you have a complaint and would like assistance with resolving it, you can:

- (a) in the first instance, bring it to the attention of your direct Supervisor; or
- (b) if this is not appropriate in your circumstances, raise it with your Principal or Head of Service.

Your direct Supervisor, Principal and Head of Service, and other persons in leadership roles, are responsible for responding to complaints and taking prompt action when alerted to potential breaches of law and Catholic Education policies and procedures. Therefore, once you raise a concern or make a complaint, the Principal, the Head of Service or another person in a leadership position receiving your complaint may be required to follow the appropriate complaint management process irrespective of your wishes. There is no such thing as an 'off the record' complaint or conversation.

Complaints against a Principal or a Head of Service, as well as all external complaints, should be directed to the Catholic Education Office (CEO). The CEO contact officer for complaints is the Head of Directorate Services.

Complaints to the CEO are received in written or verbal forms, with serious complaints required in writing to ensure the complaint is recorded accurately. Please refer to Complaints-Intake Management Policy which outlines the complaint intake process.

Other contacts

If you are suffering stress in your workplace, you may contact your Principal or Head of Service to organise confidential counselling with Catholic Care via Human Resource Services. You may also contact:

Lifeline 13 11 14
Beyond Blue 1300 224 636

6. What will happen after you make a complaint?

This Policy establishes Catholic Education's approach to resolving workplace complaints, including complaints about how a complaint was managed.

It is Catholic Education's intention that all complaints will be treated seriously and as far as practicable in accordance with this Policy.

As each complaint will differ, your Principal, Head of Service or another person receiving the complaint will determine the most appropriate method of dealing with the complaint. This may vary depending on the nature of the specific complaint and a number of other factors.

Following receipt of a complaint the person receiving it may:

- (a) determine the best method of handling the complaint (which may include, for example, informal or facilitated discussions, mediation, an internal investigation conducted at a School level or escalated to Human Resource Services at the Catholic Education Office or an external investigation);
- (b) inform you of the likely steps that will be taken in relation to your complaint, including the name(s) and position title(s) of the investigator(s) and the anticipated time frames;
- (c) inform the person(s) about whom the complaint was made about the existence of the complaint and give them an opportunity to respond to the allegations;
- (d) inform you, the person(s) about whom the complaint was made and, if the matter is to be investigated, all witnesses, of the confidentiality obligations in relation to the complaint;
- (e) collect any additional information required to properly assess the complaint;
- (f) inform you and the person(s) against whom the complaint was made of the outcome and, if appropriate, any proposed action to be taken.

In appropriate cases, an external party may be appointed to make inquiries in relation to or to investigate the complaint.

As far as reasonably practicable, investigations of complaints will be conducted confidentially. The person dealing with the complaint may discuss the complaint with third parties when this is appropriate.

If allegations raised in the complaint are sustained, the CEO, on behalf of Catholic Education Canberra and Goulburn, will take any action that it considers appropriate in the circumstances, which may include disciplining or dismissing the Worker.

Catholic Education takes all complaints very seriously, and a complaint should not be made in bad faith or vexatiously. Catholic Education views such complaints as a very serious matter and the CEO will take appropriate action against the complainant. This may result in a disciplinary action which may include dismissal of the complainant Worker.

7. Victimisation

You must not victimise a person because they made or propose to make a complaint against you or another person, or because they witnessed an incident or provided information in relation to a complaint. Victimisation means subjecting a person to a detriment, for example ostracising an employee.

If you feel that you are being victimised, you should raise it as soon as possible with your direct Supervisor, Principal or Head of Service, or Human Resource Services.

8. External Notification Requirements

In some instances, it may be appropriate or mandatory for the CEO or School to notify external bodies about a complaint such as: the appropriate State and Territory teachers' registration and standards body, work health and safety, care and protection and fair trading/regulatory services agencies; NSW Ombudsman; or NSW Police or the Australian Federal Police.

Notification to an external body will not prevent Catholic Education from continuing its own investigation.

9. Appeals Process

In some cases, a formal process of appeal may be available to a person who is not satisfied with the outcome of a decision that affects them and they may request a review of that decision. For example, an employee may be entitled to appeal a decision under their relevant enterprise agreement. All inquiries regarding the appeals process should be directed to Head of Directorate Services. The Appeals process is not available to an employee whose employment has been terminated.

10. Maintaining Documentation and Confidentiality

All Workers, including Principals, Heads of Service, Human Resource Services staff and any Worker dealing with a complaint should maintain confidential records of conversations (informal and formal) relating to a complaint.

The accompanying Complaints Procedures contain useful templates to assist those responsible for receiving and managing workplace complaints to prepare and retain notes and information about the complaints, steps taken to address them and the outcomes.

A person making a complaint must maintain the confidentiality of the complaint and must not discuss any information about initiation of the process, the process itself or action taken with anyone else, unless expressly authorised by Catholic Education. Any breach of confidentiality by a Worker will be regarded as serious and may result in disciplinary action.

11. Contact Person

If you have any questions regarding this Policy, your obligations or the grievance process outlined in this Policy, we encourage you to discuss this with your Principal, Head of Service or the Human Resource Services.

12. General

This Policy is not a term of any contract, including any contract of employment and does not impose any contractual duties, implied or otherwise, on Catholic Education. This Policy may be varied by the Catholic Education Office from time to time.

13. Forms

Flowchart

Complaints Procedure

Approved By:	Service Area Leadership Team
Issuing Service Area:	Human Resource Services
Implementation Date:	2010
Policy Revision Date:	September 2015
CEO Contact Officer:	Stacey Ozanne, Head of Human Resource Services
TRIM Record Number:	R86240