



COMPLAINTS AND DISPUTES POLICY

Divine Mercy College welcomes suggestions and comments from students as well as parents and takes seriously complaints and concerns that may need to be raised. This policy is designed to create a strong and reliable partnership between parents, students and the school. Parents, students and other school community members must be confident that staff will listen and respond to their needs and concerns. The policy sets out the process for students, parents, members of the Divine Mercy community, to have enquires, concerns and complaints addressed by the School. Please direct all complaints to the school administration dmcadmin@arach.net.au or 9417 3267.

NOTE: The Registration Officer should be made aware of ALL complaints (regardless if they are against another staff member, Principal, parent, student, visitor or any other person), for the purpose of record keeping in the Complaint Register to ensure that patterns can be detected over time.

General Principles

The following principals apply to all complaints and disputes

1. The school welcomes complaints and the complaint policy are accessible to the school community via the Student and Parent Handbook as well as school website and posters around the school, Parent information nights. Students are directed to the policy (and how to make a complaint) in the handbook at the beginning of the year and via the KS-CPC when appropriate.
2. Divine Mercy College are open and receptive to all complaints
3. All complaints are taken seriously
4. Staff are aware of the process and how to respond to a complaint and are aware that parents and children may respond in a different manner
5. All staff are enabled either to resolve or refer a complaint
6. Complaints are acknowledged promptly
7. Confidentiality is maintained by all parties unless the school staff deem it appropriate for the student complaint to be disclosed to the parent
8. If students are making the complaint, then the student needs to be made aware of the limits of confidentiality as the process progresses
9. Responses to complaints will be within a reasonable time and in a courteous and efficient way
10. Students are given a choice on how they wish to be kept updated on the progress of their complaint.
11. The Complaint process is culturally safe, ensuring there is respect for all cultures
12. Complaints can be anonymous
13. **All complaints (including staff complaints)** need to be reported to in the Complaints register, this is included in the annual risk assessment audit completed by the Governing Body. This enables the detection of patterns emerging over time and for continual improvement. Information to be included on the register is the following;
 - a. File reference



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- b. Date of Complaint
 - c. Nature of Complaint
 - d. Complaint made against
 - e. Brief Description
 - f. Explanation of Investigates including outcomes (if any)
 - g. Date referred to Governing Body (if required)
 - h. Outcome / resolution
 - i. Date complaint was closed
 - j. What follow up occurred
 - k. Investigator appointed
 - l. Name of others involved in complaint
14. In all matters the education and wellbeing of the students are the first priority
15. For continual improvement reflect and review the process of the complaint making recommendations for future improvement in either the process or the complaint outcome
16. The office of the WA Commissioner for Children and Young People (WA CCYP) have published: [Are you Listening – Complaints guidelines](#). There is a “Student Suggestion” box in the library for students to ‘post’ issues
17. All obligations are met regarding employment law and law enforcement
18. Procedural fairness is afforded to all parties
- a. Each party has an opportunity to be heard (in writing or in person)
 - b. Issues for facts which are disputed are investigated
 - c. The investigate is free from bias including being culturally aware and safe
 - d. Any complaint outcome is supported by the evidence, necessitating a finding on the balance of probabilities in the event of a dispute of fact
 - e. The complaint outcome is finalized by an adjudicator / investigator who is free from bias
 - f. The outcome is consistent with established school policy

Roles and Responsibilities

The Complaint process at DMC is accessible by all, it is located on the website and in school diaries and is child focused.

The Governing Body must

- Complete an annual audit of the Complaint register to identify patterns of behaviour and to identify causes and systemic failures so as to inform continuous improvement
- Ensure that reviews are held with a focus of evaluating and improving child safe practices

The Principal must

- Take all complaints seriously
- Follow the complaint process
- Conduct a fair and culturally safe investigation into complaints
- Follow the Staff Code of Conduct in regard to breeches
- Ensure all complaints are input into the Complaint register
- Keep complaints confidential



- Resolve complaints in a fair and reasonable manner
- Participating in the analysis of the complaint register by the Governing Body with the aim to improve child safe practices
- When required notify the Board and the Education Department within 48 hours
- Report findings of the Governing Body complaint audit in the school newsletter

Coordinators must:

- Take all complaints seriously
- Follow the complaint process
- Conduct a fair and culturally safe investigation into complaints
- Follow the Staff Code of Conduct in regard to breaches
- Ensure all complaints are input into the Complaint register
- Keep complaints confidential
- Resolve complaints in a fair and reasonable manner
- When required refer the complaint to the Principal

Staff must:

- Deal with complaints promptly
- Follow the complaint process
- When required refer the complaint to their Coordinator and/or Principal
- Take all complaints seriously
- Conduct a fair and culturally safe investigation into complaints
- Follow the Staff Code of Conduct in regard to breaches
- Ensure all complaints are input into the Complaint register
- Keep complaints confidential
- Resolve complaints in a fair and reasonable manner

Parents, Students and Volunteers must;

- Follow the complaint process
- Keep complaints confidential
- Resolve complaints in a fair and reasonable manner
- Follow Parent and Volunteer Code of Conduct and the Student Code of Conduct

Complaint Process for Parents

Any person who has a complaint or dispute should firstly clearly identify the problem, decide if this is a query or a complaint and determine the appropriate procedure to be followed so that the right people are approached. At all stages, staff will work with you to establish an agreed plan of action and timeline. **All complaints need to be reported** to in the Complaints register, this is included in the annual risk assessment audit completed by the Governing Body.

Step 1 - DISCUSSION WITH STAFF MEMBER

Make an appointment to talk with the teacher or relevant staff member at a mutually convenient time to discuss your complaint. The staff will work with you to resolve the problem. The staff member at this point needs to notify the Registration Officer of the Complaint.



Step 2 - INVESTIGATION BY PRINCIPAL

If you are not satisfied, contact the Principal, request an appointment to discuss the issue. The Principal will arrange to meet with all parties either separately and/or together as they deem appropriate, to consider the issue. Detailed records, including agreements made, will be kept and signed by all parties and a future appointment made if need be to follow up on the agreements made. You should be aware that when a complaint is made in writing about an individual staff member, that staff member will receive documentation of the substance of the complaint. The principal can reject a complaint that in their opinion is vexatious, or without substance, or does not warrant further action taking into account the priorities and principals of the policy.

Step 3 - WRITE TO SCHOOL GOVERNING BODY

If resolution is not reached or if the Principal is the subject of the complaint, then write to the School Board again outlining all facts. The School Board will assist reaching a resolution and may act as a mediator.

Chairperson
Mr Darius Kwiatkowski
Divine Mercy College
326 Yangebup Road
Yangebup WA 6164
Email: darpol1@tpg.com.au

If the complaint is about the Principal then the Chairman of the Board will appoint an independent mediator to resolve the conflict as the Principal is a member of the School Board.

Step 4 - INDEPENDENT ARBITER

If the matter is still not resolved then, if both parties agree, a mutually agreed Independent Arbitrator may be engaged to assist with resolution. This person is normally a person appointed by AISWA or is a nonbiased legal representative .

If there is no resolution complaints can be referred to the Director General of the Department of Education

Complaint Process for Students

Student complaints are to follow the principals that apply to parents, however Divine Mercy College notes that students should be able to raise concerns with ANY member of staff with whom they feel comfortable and that students are able to bring in an advocate or support person when making a complaint. **All complaints need to be reported** in the Complaints register by reporting them to the Registration Officer, this is included in the annual risk assessment audit completed by the Governing Body.

STEPS TAKEN BY THE COLLEGE TO ENHANCE STUDENTS ACCESS TO INFORMATION ABOUT MAKING A COMPLAINT;

- All Staff members welcome and listen to student complaints



- DMC advertises the process in the student and parent handbooks / parent code of conduct
- Posters located around the school to provide a visual publication for a more welcoming, developmentally suitable and more appealing approach these can be found at WA CCYP website you will also find ['Child-safe Organisations WA – Top tips for making a complaint'](#)
- Students complete the annual satisfaction survey – which welcomes anonymous comments
- Students can have a support person or advocate with them
- Locked box for 'student suggestions'

It is important that staff be mindful that there are a variety of reasons why children and young people may not report concerns, e.g.:

- not believing their problem is big enough to warrant an 'official' complaint;
- not understanding they are allowed to make a complaint or how to go about it;
- concern about not being believed;
- fear of getting into trouble or getting others into trouble;
- embarrassment or shame;
- worry about confidentiality and privacy;
- fear of repercussions and that things will get worse (especially about bullying).

Step 1 - DISCUSSION WITH ANY STAFF MEMBER

Ask to talk with a teacher or relevant staff member who you feel comfortable talking with. The teacher will make at time to meet to discuss your complaint and will work with you to resolve the problem. Complaints that appear trivial still need to be handled seriously. Young people may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying. The school needs to be responsive, by promptly acknowledging the complaint and treating the student with understanding and helpfulness. The staff member at this point needs to notify the Registration Officer of the Complaint.

Step 2 – INVESTIGATION OF COMPLAINT

Complaint will be investigated by the teacher and possibly other staff with the aim of resolving your complaint. Once the matter is resolved, the outcome should be discussed with the student by a member of staff. To make sure that it is fully understood, a written record may be shared. Monitoring by the school is recommended to ensure that steps put in place to rectify/assist are having the desired effect.

Step 3 – NOTIFYING THE PRINCIPAL OR EXTERNAL AUTHORITY

If the complaint is not resolved or deemed major then the Principal will be notified with confidentiality in mind, although parents may be contacted at this point (or at any point deemed appropriate by the teacher). The Principal will arrange to meet with all parties including parents if required either separately and/or together as they deem appropriate, to consider the issue. Detailed records, including agreements made, will be kept and signed by all parties and a future appointment made if need be to follow up on the agreements made.



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In situations where it is believed that the matter needs to be referred on to an external authority it is essential that, at an appropriate time, the staff member explains this to the student, from the perspective of being in the best interests of the student's welfare and safety. It is very important that this sort of situation is handled sensitively and in a supportive manner and that the staff member follows the school's policy and fulfils all applicable legal obligations.

Complaint Process for Staff

Any person who has a complaint or dispute should firstly clearly identify the problem, decide if this is a query or a complaint and determine the appropriate procedure to be followed so that the right people are approached. **All complaints need to be reported** to in the Complaints register by reporting the complaint to the Registration Officer, this is included in the annual risk assessment audit completed by the Governing Body.

Step 1 - DISCUSSION WITH STAFF MEMBER OF WHOM THE ISSUE IS WITH

Make an appropriate time to talk with the other staff member at a mutually convenient time to discuss your issue with the aim of a resolution. It is advisable to talk calmly and openly and respond in an appropriate and professional manner at all times. **The Registration Officer should be made aware of the complaint at this point in the process for record keeping purposes in the Complaint Register to ensure that patterns can be detected over time.**

Step 2 - COMPLAINT TO COORDINATOR

If a mutual resolution is not made after initial discussions and you would like to make a formal complaint, please contact your direct Coordinator, if you are not sure who is your direct Coordinator is, please ask the Principal. If the complaint is related to your direct Coordinator please speak with any other Coordinator about the issue.

Coordinators

Learning Support	Domini Caroll
Early Years (K – 2)	Sheryl Palazzo
Upper Primary School (3 to 6)	Eulene Marillier
Middle School (7 – 10)	Celestine Landers
Year 11 and 12 (rotates yearly)	Jacob Seinemeier & Elaine Kearney

Step 3 - INVESTIGATION BY PRINCIPAL

If the Coordinator cannot facilitate a mutual agreement then the Principal will be involved by the Coordinator and facts will be outlined and an appointment made discuss the issue. The Principal will arrange to meet with all parties either separately and/or together as they deem appropriate, to consider the issue. Detailed records, including agreements made, will be kept and signed by all parties and a future appointment made if need be to follow up on the agreements made.

Step 4 - WRITE TO SCHOOL GOVERNING BODY

If resolution is not reached or if the Principal is the subject of the complaint, then write to the School Board again outlining all facts. The School Board will assist reaching a resolution and may act as a mediator.



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If the complaint is about the Principal then the Chairman of the Board will appoint an independent mediator to resolve the conflict as the Principal is a member of the School Board.

Step 5 - INDEPENDENT ARBITER

If the matter is still not resolved then, if both parties agree, a mutually agreed Independent Arbiter may be engaged to assist with resolution, this person is normally appointee by AISWA or Union.



APPENDIX 1 – LEAFLET FOR STUDENTS

Any problems, complaints or suggestions?

If so the school would like to hear!

How do I make a complaint?

- By talking about it – or by writing it down if you find that easier
- You can do it by yourself, or as a part of a group or through your parents

To Whom?

- To anyone on staff

Does it matter what the issue is?

- No, it can be a big problem or a small one
- By discussing it, you may come up with some positive ideas

What will happen next?

- If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help

Do others have to know?

- If you are worried about confidentiality, tell the staff they will understand

Even if you find the issue hurtful or embarrassing, don't worry – it will only be discussed by staff who can help you.



APPENDIX 3 – TIPS FOR MAKING A COMPLAINT FOR STUDENT (taken from WA CCYP website you will also find ['Child-safe Organisations WA – Top tips for making a complaint'](#))

1. Get Support

Talk to a parent, teacher or friend, they can even be with you when you complain. You can also use an interpreter if you need.

2. Find out how

Sometimes its tricky to know how to make a complaint, but here all you need to do...

- Talk to anyone you feel comfortable with
- You can make the complaint by email, letter or in person

3. Plan what to say

Write down what you are not happy about and how it has affected you. Also decide what you think should be done. This will help you when you are talking to the teacher about your issue.

4. Be calm and

ask questions

Ask as many questions as you like. You may want to know:

- How they will keep your complaint private?
- What will happen next?
- Who will get back to you and your support person?
- When will they get back to you?
- If you're not happy about the result of your complaint what is the next step - who will review your complaint in person

5. Keep notes

Write down who you meet and what is said so you know what is going to happen from here and you don't have to remember it.

6. Keep at it

Don't be afraid to complain further if you feel you are not safe or if the issue hasn't been resolved fairly.



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APPENDIX 3 – FLOW CHART FOR PARENT COMPLAINTS AND DISPUTES

