ST MARY STAR OF THE SEA
COLLEGE GUIDELINES & PROCEDURES

Handling of Disputes & Complaints

SOURCES OF AUTHORITY	
CEWA Policy	Stewardship
Executive Directory	Disputes & Complaints

AIM

Catholic schools can serve as models for all within Western Australia who seek to create genuine communities. Such communities are always founded upon shared commitment to the common good (Mandate, 6). On occasions there may be a disagreement with a decision and a dispute or complaint may arise within a Catholic school. The interactions and protocols of Catholic schools emphasise the sacredness of human life and the dignity of the individual. Catholic Education is committed to ensuring that disputes and complaints are dealt with fairly, objectively and in a timely manner, and with processes which reflect the principles of participation, co-responsibility and subsidiarity.

DEFINITIONS

Concern means an expression of dissatisfaction with St Mary's College procedures, decisions, omissions, quality of service, staff or student behaviour. (See parent Concern Guidelines for more information).

Complaint means an expression of dissatisfaction with Catholic Education policies or College procedures, decisions, omissions, quality of service, staff or student behaviour, which has not been resolved by a meeting/discussion with the parties involved. There is a need to elevate this beyond the person to whom it was first addressed.

Dispute means a conflict regarding a right, claim, or demand on one side, met by contrary claims or allegations on the other.

Procedural Fairness means that a matter has been resolved to the satisfaction of Catholic Education in Western Australia with respect to the paramount importance of the student(s).

Students are defined as children and young people enrolled in schools and early learning and care services.

SCOPE

This procedure applies to staff, students, parents and the wider community.

PRINCIPLES

All decisions are to reflect the paramount importance of the student(s).

Any person may complain orally or in writing about any matter arising from the operations of Catholic Education.

Complainants are personally responsible and liable for the content of their complaints.

A dispute or complaint made in accordance with this policy is a dispute or complaint about Catholic Education, notwithstanding the naming of any staff member in a dispute or complaint.

It is preferable that the complaint is verifiable, however if a complaint or any other information of unknown origin (i.e. anonymous) provides information that would cause the Principal concern, it should be considered by the Principal so that they can determine the appropriate course of action.

Disputes and complaints will be managed in accordance with the principle of subsidiarity, which requires that nothing should be done by a higher authority, agency or level that could be done as well or better by a lower one.

Disputes and complaints, and the resolution of such, contribute to continuous learning and improvement so that the potential and opportunity for incidents to be repeated are minimised.

Any review of a dispute or complaint will be based on procedural fairness.

Information in a complaint should only be disclosed to those parties who have a need to know in order to investigate and resolve the complaint.

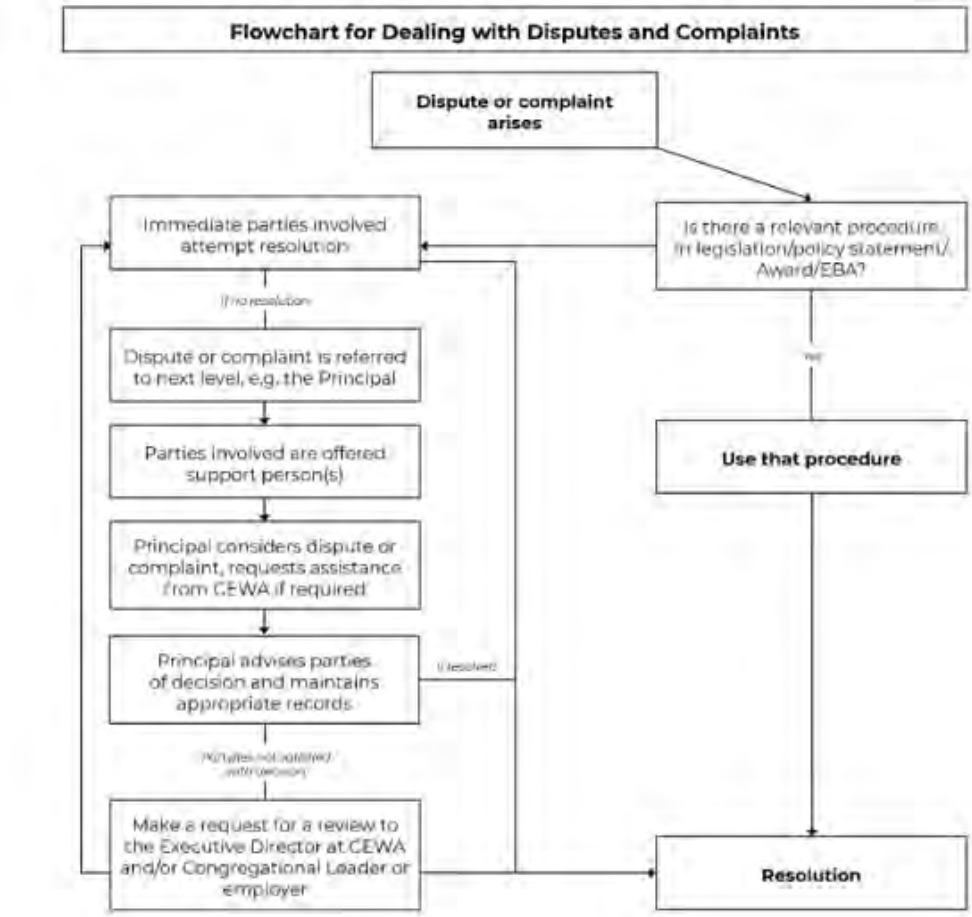
Once a decision has been made, parties may request a review of the decision in accordance with Procedures, including escalating the dispute or complaint to the Executive Director of Catholic Education in WA and / or Congregational Leader or employer.

PROCEDURES

- Information about the process for dealing with disputes and complaints must be made readily available to parents, students and staff. This can be via a range of media; it will be available on the school website.
- A dispute or complaint can be made by any person regarding the provision of education or related matter. Depending on the nature and level of the complaint, it should be made in writing. Where an immediate party cannot be identified, such as if it is anonymous or from an unverifiable source, the information should be assessed and duly considered.
- Where there is an appropriate Catholic Education Commission of WA policy statement that provides a specific mechanism for addressing the dispute or complaint, that policy statement shall be followed.
- Where there is a binding legislative or regulatory mechanism (including an Enterprise Bargaining Agreement) that addresses the issue raised in the dispute or complaint, that legislative or regulatory mechanism shall be followed.
- When a dispute or complaint arises, the immediate parties involved should attempt to resolve the issue in the first instance.
- Parties may involve a support person(s) to assist them in resolving the dispute or complaint.
- Should a complainant be dissatisfied with the resolution as a result of involvement of the immediate parties, or if there are unique circumstances, the matter can be referred to the next level by the complainant, for example, to the Principal.
- The Principal is responsible for the resolution of disputes or complaints within the school referred to them by the immediate parties, in accordance with procedural fairness.
- Where a dispute or complaint is about the Principal and there is not likelihood that it can be resolved directly with the Principal, the immediate parties may refer the dispute or complaint to the School Improvement Advisor.
- A Principal must be mindful of managing the wider effects that a dispute or complaint may have on the workplace beyond its resolution.
- The Principal may request external assistance and expertise (including mediation), including the involvement of the CEWA Employment and Community Relations Team to assist in the resolution of a dispute or complaint.
- The Principal shall inform the complainant (unless anonymous) and relevant parties of the outcome of their decision.
- The Principal shall maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable this will include any statements made by the parties involved.
- Any party may request a review of the Principal's decision, in writing, to the Executive Director of Catholic Education and/or Congregational Leader or employer.
- The Congregational Leader or employer of the order or other accountable school will review the dispute or complaint or may request through the Executive Director of Catholic Education, that the CEWA undertake the review.
- The dispute or complaint shall be promptly acknowledged in writing unless the complainant is anonymous and cannot be identified.

- The Executive Director of Catholic Education shall ensure a formal examination and investigation of the complaint and/or areas of disputation.
- The parties to the dispute or complaint shall be notified of the finding(s) of the dispute or complaint, including the basis of the finding(s). There is no duty to notify an anonymous complainant.

  An individual has the right to make an appeal to the Minister for Education about a dispute or complaint (School Education Act 1999). An appeal will only be heard on a breach in process and will not be a re-examination of the merits of the case. A person may make a complaint to an external body or tribunal at any time. The relevant person (i.e. the Principal) may choose to suspend addressing the complaint until the external body or tribunal rules on the complaint, or the external complaint is directed back to Catholic Education for resolution. The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, they do not have the power to intervene in a complaint or override the school's decision.



Authorised by	Deborah White	Signature	
Effective Date	5/2/2025	Review Date	2028