

# 1.06

## MERCY EDUCATION POLICY 1.06 COMPLAINTS MANAGEMENT

### Introduction:

Mercy Education Ltd (Mercy Education) is committed to *justice* which necessitates resolution of conflict arising from complaints and grievances (complaints). When conflict arises, all who are associated with Mercy Education are called to show *respect* for others and to act with *compassion* and *courage*. Complaints resolution procedures provide the opportunity to promote *service*, develop understanding, prevent further issues and ensure just outcomes.

**Purpose:** This policy outlines the principles for receiving and resolving complaints by Mercy Education.

### Definitions:

Complaint: an expression of dissatisfaction with a real or perceived issue at a school where a response or resolution is expected.

Complainant: the individual raising the complaint.

Subject of the complaint: the individual(s), or organisation against which a complaint is made.

Whistleblower: An officer, employee or a contractor performing work or providing goods for Mercy Education and/or its schools, or an associate, relative or dependant of such an officer, employee or contractor, who makes a disclosure.

### Policy Coverage:

This policy is relevant to the Mercy Education Board, to all employees of Mercy Education, its schools and their wider communities.

This policy does not cover complaints that are of a child protection nature. These complaints must be addressed in accordance with child protection laws and reporting obligations.

This policy does not cover complaints about work or employment conditions at Mercy schools. Complainants should handle these matters in accordance with relevant internal school policies and processes, or industrial agreements.

This Policy does not cover whistleblower disclosures. These complaints or disclosures must be addressed in accordance with whistleblower legislation.

**Policy Statement:**

- 01 Mercy Education acknowledges that the nature of its school communities will inevitably, at times, lead to a lack of harmony where some individuals or groups will consider that their rights or responsibilities are being eroded
- 02 As the delegated authority for schools governed by Mercy Education, the Board of Mercy Education is responsible for investigation of complaints concerning Mercy schools
- 03 All Mercy Education schools require policies and procedures allowing employees and members of the school community to express complaints and seek remedies
- 04 Complaints related to the performance, professional practice or behaviour of the Principal of a school governed by Mercy Education; the staff of Mercy Education Executive Office; the Chief Executive of Mercy Education; a Board Member of Mercy Education; or the Board Chair of Mercy Education will be managed by the appropriate line manager in accordance with this policy and the associated operational instructions
- 05 The Leadership Team of the Institute of the Sisters of Mercy of Australia and Papua New Guinea will be informed of serious complaints against any member of the Board of Mercy Education
- 06 Mercy Education commits to the following principles:
  - Complaints will be responded to in a prompt, impartial and just manner
  - Conflict resolution processes will reflect the principles of participation, co-responsibility and subsidiarity
  - Complaints will be initially responded to at the lowest possible level, considering the seriousness of the complaint and escalated if a satisfactory resolution is not obtained.
  - Both the person raising complaint and the subject of the complaint will receive appropriate information, support and assistance in resolving the complaint
  - No person will be victimised because they raise a complaint
  - A non-judgemental and non-adversarial, restorative approach will be taken to resolving complaints. Parties will work together with respect and openness to reach fair and reasonable decisions.
  - Procedural fairness will be followed in all aspects of complaint handling
  - Complaints and their resolution will be fully documented and stored by the relevant school or Mercy Education
  - Complaints will be handled in a manner which is consistent with current Australian legislation and relevant industrial agreements
- 07 Members of a school community should not instigate complaints that are frivolous, vexatious or malicious. All individuals are expected to participate in the complaint resolution process in good faith.
- 08 If a satisfactory outcome cannot be achieved, Mercy Education will provide the complainant with options for having the decision reviewed or mediated by a third party or an external agency

- 09 Mercy Education and the Principal are mindful of the impact any complaint has upon a school in addition to its resolution and will take steps to address this
- 10 Appropriate levels of confidentiality will be adhered to at all times, and any personal information disclosed will be treated as confidential as per the Mercy Education Privacy Policy available at [www.mercy.edu.au](http://www.mercy.edu.au). However, complainants should be advised that for legal reasons absolute confidentiality may not always be possible. These reasons include but are not limited to, duty of care, workplace health and safety and mandatory reporting.

#### Related Documents:

Catholic Education Office Ballarat (CEOB)

- *Ballarat Diocesan Schools Advisory Committee (BDSAC): School Complaints Policy 2017*

Catholic Education Commission Victoria (CECV)

- *CECV Equal Opportunity Policy Template*
- *CECV Anti-Bullying Guide for Principals and Leaders 2019*
- *CECV Social Media Policy Template 2014*

Catholic Education Melbourne (CEM)

- *CEM: Complaints Policy 2018*

Catholic Education Sandhurst (CES)

- *CEO Sandhurst: Complaints Policy 2016*

Catholic Education South Australia (CESA)

- *CESA: Complaint Response and Resolution Procedure 2018*

Catholic Education Western Australia (CEWA)

- *CEWA: Dispute and Complaint Resolution Policy 2017*

Mercy Education Limited (MEL)

- *1.06 Operational Instructions: Complaints Management*
- *MEL Child Protection Policy 2020*
- *MEL Codes of Conduct Policy 2019*
  - *MEL Code of Conduct 2019*
  - *MEL Parent Code of Conduct 2019*
- *MEL Privacy Policy 2020*
- *MEL Whistleblower Policy 2019*

#### Review History

Version	Date Released	Next Review	Author	Approved
1.0	Nov 2015	January 2020	MEL Executive	MEL Board
2.0	May 2020	January 2023	Chief Executive	MEL Board