



## DISPUTE AND COMPLAINT RESOLUTION POLICY

### REVIEW HISTORY

Originally Written:	Reviewed by:		Revised:	Next Review:
2016	College Staff			2017

### RATIONALE

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, para 6). On occasions there may be 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 that processes reflect the principles of participation, co-responsibility and subsidiarity. In Catholic Education, Christ is the foundation. All members of the Catholic education community are committed to reflecting gospel values in everyday activities and personal encounters.

St John Bosco College is committed to providing a considered response to any informal or formal dispute between any parties, or their action, directly associated with the College.

### PRINCIPLES

1. St John Bosco College is committed to providing an environment that is safe for its employees, students and our parent community.
2. Informal procedures emphasise an expedient resolution and will be the preferred means of dealing with complaints. They are usually appropriate where:
  - The allegations are not of a serious nature.
  - The parties are likely to have ongoing contact with one another and the complainant wishes to pursue an informal resolution so the working relationship can be sustained.
3. Formal procedures focus on proving whether a complaint is substantiated. They are appropriate where:
  - Informal attempts at resolution have failed
  - The complaint involves serious allegations of misconduct
  - The complaint is against a member of staff
4. Natural justice must be exercised in resolving any dispute or complaint. This requires that both parties receive a fair hearing and that the final decision is made without bias.
5. The resolution to a dispute or complaint must exhaust all reasonable attempts at conciliation prior to an imposed arbitrated result occurring.
6. Individual cases must be examined on their own merits.
7. Resolutions must appropriately balance the principles of justice with compassion.
8. Appropriate confidentiality must be respected by all parties.

9. Decision making shall be guided by the principles of participation, co-responsibility and subsidiary.
10. The Principal has the responsibility to attempt to resolve a dispute or complaint with the parties directly involved at the local level (College) in the first instance.
11. When all avenues have been exhausted at a College level, parties may wish to appeal to the Executive Director of Catholic Education or the Minister of Education in accordance with the School Education Act (1999).

## PROCEDURES

1. If the dispute involves an employment issue, the prescribed process in the relevant Enterprise Bargaining Agreement or Award shall be followed.
2. Each dispute or complaint resolution procedure followed by the College shall ensure that all relevant parties:
  - are informed of the dispute or complaint and the action taken within a stated timeline
  - have the opportunity to place their version on record
  - have the opportunity to be represented if they so wish.
3. The dispute or complaint shall be promptly acknowledged in writing.
4. The resolution of a dispute or complaint, in the first instance, should be undertaken between the immediate parties involved. Only after attempts at this level are exhausted should the matter be referred to the next level.
5. Should the immediate parties involved fail to reach a resolution, then the Principal is responsible for undertaking a procedure to resolve any dispute or complaint within the College.
6. Where a dispute or complaint involves the Principal the matter may be referred directly to the Executive Director of Catholic Education.
7. Anonymous and/or unsubstantiated complaints shall not be investigated.
8. The Principal shall maintain records of the procedure and resolution to any formal dispute or complaint. These will include any statements made by the parties involved.
9. Records of any dispute or complaint shall be maintained in accordance with the CECWA policy Management of Confidential Information in Schools.
10. It is the responsibility of the Principal to attempt to reach a resolution between the parties where possible.
11. The Principal shall inform the complainant and relevant parties of the outcome of their decision in writing.
12. Failing to reach a resolution by agreement, the Principal shall make a decision. When this occurs, the Principal shall inform each party of the decision.
13. The Principal may call on outside mediation, including the Employment and Community Relations Team of Catholic Education Western Australia (CEWA) to assist in the resolution of a dispute or complaint.
14. Referral, where required, to an external authority such as the CPFS (Child Protection and Family Support) or the Western Australian Police for advice or immediate action.
15. Any party may seek the assistance of the Executive Director of Catholic Education to resolve a dispute or complaint.
16. Any party may appeal the Principal's decision, in writing, to the Executive Director of Catholic Education or the Minister of Education in accordance with the School Education Act (1999).

## REFERENCES

Bishops of Western Australia 2009, Mandate of the Catholic Education Commission of Western Australia: 2009-2015

School Education Act 1999 (WA)