



**Diocese of Toowoomba  
Catholic Schools**

# Complaints management procedure

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## Purpose

This Complaints management procedure describes how complaints should be made by those who are not employed by Toowoomba Catholic Schools eg parents/carers and guardians, students and members of the school community (external complaints). It also describes how external complaints will be managed by Toowoomba Catholic Schools.

### Please note

1. This procedure is not to be used to deal with situations where allegations of sexual abuse, harm or inappropriate behaviour towards students are made against employees. In these instances, the Student Protection processes and guidelines are to be applied.
2. This procedure is not to be used by employees to make a complaint. In these instances, one of the following procedures may be applied.
  - a. Employee grievance resolution procedure
  - b. Workplace bullying and harassment procedure
  - c. Anti-discrimination, equal employment and addressing sexual harassment procedure.

## To whom it applies

Schools and colleges must have their own complaints management procedures for addressing complaints by those who are not employed by Toowoomba Catholic Schools eg parents/carers and guardians, students and members of the school community.

Where a complaint cannot be resolved by the school or college, or does not apply to a school or college, this Complaints management procedure is to be applied.

## Related legislation, agreements, policies and procedures

- Toowoomba Catholic Schools Employment policy
- Toowoomba Catholic Schools Addressing workplace bullying and harassment procedure
- Toowoomba Catholic Schools Investigation guidelines
- Toowoomba Catholic Schools Disciplinary action procedure
- Toowoomba Catholic Schools Employee grievance resolution procedure
- Toowoomba Catholic Schools Anti-discrimination, equal opportunity and addressing sexual harassment procedure
- Toowoomba Catholic Schools Student Protection processes and guidelines
- Education (Accreditation of Non-State Schools) Regulation 2001 (Qld)
- The Catholic Employing Authorities Single Enterprise Collective Agreement – Diocesan Schools of Queensland 2019-2023.

## Procedure

### External complaints made to schools and colleges – procedural steps

1. Where possible, external complaints made to schools and colleges should be addressed and resolved at that level.
2. Schools and colleges are to develop and implement complaints management procedures that reflect their structure and community and meet legislative requirements.
3. A person making a complaint to a school or college should be invited to familiarise themselves with the school or college's complaints management procedure.

4. Where the complaint cannot reasonably be made to the school or college, for example where the complaint relates to the conduct of the principal, or where the complaint has not been effectively resolved at that level, then the person making the complaint (the complainant) should refer their complaint to the Toowoomba Catholic Schools Office.

## External complaints made to the Toowoomba Catholic Schools Office – procedural steps

### 1. Making a complaint to the Toowoomba Catholic Schools Office

- 1.1. If the complaint relates to a school or college, then parents/carers and guardians, students and community members must have made contact with the school/college and followed its complaints management procedure prior to making contact with the Toowoomba Catholic Schools Office.
- 1.2. A complainant can make contact with a member of the Toowoomba Catholic Schools Office in the following ways
  - a. email via the [Toowoomba Catholic School website](#)
  - b. verbally by calling the Toowoomba Catholic Schools Office on (07) 4637 1400
  - c. in person by attending the Toowoomba Catholic Schools Office: 29-33 Lawrence Street, Toowoomba
  - d. in writing with attention to the Executive Officer, PO Box 813, Toowoomba, 4350.
- 1.3. Although some complaints cannot be fully investigated without being put into writing or supported by other documents, this should not be a barrier to making a complaint. A person should be encouraged to discuss or raise things that are important to them.

### 2. Receiving the complaint

- 2.1. Any person within the Toowoomba Catholic Schools Office receiving a complaint either verbally, in writing (eg via email) or in person must seek to ensure that the person making the complaint (the complainant) is heard, and that all relevant initial information is gathered. This information is to be recorded on a [TCS Complaint Form](#) by the person receiving the complaint.
- 2.2. If the complaint pertains to a school/college, as per 1.1, the person receiving the complaint is to confirm that the complainant has made contact with the relevant school/college and followed the school's/college's complaints management procedure prior to contacting TCSO. If the complainant has not contacted the school/college, the person receiving the complaint is to provide them with the school's/college's contact details (if necessary). The Complaints form is still to be completed as per 2.1 and submitted to the Executive Officer as per 3.1.
- 2.3. If the complainant has made contact with the school/college and followed the school's/college's complaints management procedure and is now seeking to address the complaint through this procedure, the complainant should be advised by the person receiving the complaint that their complaint will be processed through the TCS Complaints management procedure (this procedure) and that they will be contacted in due course.
- 2.4. If the complaint is not related to a school/college, the complainant should be advised by the person receiving the complaint that their complaint will be processed through the TCS Complaints management procedure (this procedure) and that they will be contacted in due course.

**Please note:** Complaints of criminal behaviour are to be referred to Queensland Police Service, and any allegation of abuse, harm or inappropriate behaviour is to be dealt with following the TCS Student Protection processes and guidelines by the person receiving the complaint.

### 3. Recording and allocating the complaint

- 3.1. Once the complaint is received and documented on the Complaint Form, the submit button is to be clicked to automate the sending of an email notification and link to the complaint details to the Executive Officer.

- 3.2. The Executive Officer on receipt of the notification of a complaint via email is determine the nature of the complaint and consult with the relevant Directorate to determine a Complaints Manager and assign the complaint to this Complaints Manager. The Complaints Manager will hold the role with delegations most aligned to the nature of the complaint.
- 3.3. The Executive Officer is to
- update the Complaint details with the nature of the complaint and to whom it has been referred
  - provide the Complaints Manager with the link to Complaint details, stored within the TCS Complaints database and refer them to the Complaints management procedure.
- 3.4. The Complaints Manager must at this time declare any conflicts of interest and ensure they act impartially and without bias in addressing the complaint.
- 3.5. The Complaints Manager is to make contact with the complainant to
- provide information about the complaints procedure, including that natural justice and procedural fairness will be applied
  - explain to the complainant whether they, as Complaints Manager, have the delegation to address the complaint, or whether the outcome will be determined by another party
  - confirm details as recorded in the Complaints Form
  - be available to listen and record concerns
  - establish any further action that may be required
  - provide alternative options to the complainant, for example making a complaint to an external body where applicable
  - explain the need for confidentiality to the complainant, including record keeping and sharing of information
  - provide information about support options to the complainant.

#### 4. Managing the complaint

- 4.1. The Complaints Manager will manage the complaint in accordance with the relevant TCS policies, procedures and guidelines. Dependent on the nature of the complaint, this may involve the commencement of an investigation, and where the complaint relates to the conduct or performance of an employee, the outcome may result in disciplinary action where appropriate to the circumstances.
- 4.2. Where the nature of the complaint is not captured by a specific TCS policy, procedure or guideline, the following information and procedure is to be applied.
- Confidentiality** is an important element of any complaints management procedure and must be adhered to by all parties involved. Information gathered during the procedure must be stored securely as an attachment to the complaint in the TCS Complaints database; and information sharing must be for a legitimate purpose. The complainant must also be made aware of the limits of confidentiality. For example, it will often be necessary to identify a complainant to an employee whose actions have been complained about, however the same details may not need to be disclosed in a report on complaint incidents and trends.
  - The views and wishes of the **complainant** must be considered, and the complaints management procedure must be conducted in a manner that is fair and responsive to the complainant. Transparency is an important aspect of any procedure; therefore the complainant should expect to be kept informed as to the procedure used, progress of managing the complaint and when the complaint management process has been finalised.

Support needs for the complainant should be considered and implemented during and after the complaints management procedure. Complainants may have specific needs, for example they may be from a non-English speaking background or have a vision or hearing impairment. The Complaints Manager must take reasonable steps to ensure that any needs are considered in how information is communicated, received and understood as part of the complaints management procedure. For example, the use of an interpreter may be required, or written information may be presented in a large font for someone with a vision impairment.

Some complainants may be particularly vulnerable, for example due to intellectual impairment, mental health concerns or personal circumstances. In these situations, it may be necessary for the Complaints Manager to deal with a friend, guardian or advocate for the complainant, in which case the person's authority to act on the complainant's behalf must be verified.

Unreasonable behaviour during the complaints management procedure must not be accepted by any party. TCS employees managing a complaint must maintain a high standard of professional conduct at all times and should seek support where there are any challenges as part of the complaints management procedure. Persistent unreasonable, dishonest or aggressive behaviour on the part of the complainant may result in the complaint management procedure being delayed, suspended or closed.

- c. Where the complaint involves allegations against another person (**the respondent**), the Complaints Manager will make contact with the respondent at the appropriate stage to inform them of the nature of the complaint (however the identity of the complainant would not usually be disclosed, unless necessary to resolve the complaint).

It is critical that the respondent be afforded natural justice and procedural fairness through the complaints management procedure, and the same issues of confidentiality, support and information provision should be discussed with the respondent as would be with the complainant.

- d. It is important to ensure that the specific nature of the complaint is understood prior to undertaking any resolution procedure. Initial **information gathering** from the complainant and other sources will determine whether further investigation is required. Thorough records must be kept of any interview or written statement, and these records must be stored securely in the TCS Complaints database.
- e. The Complaints Manager should gather and then **assess all relevant information** to determine what additional steps need to be undertaken. The assessment procedure may result in the ability to finalise the complaints management procedure at that point, or further investigation may be required. The [TCS Investigation guidelines](#) are a resource in this regard.

## 5. The outcome

- 5.1. The outcome of a complaint will vary dependent on the circumstances. Possible outcomes may include
  - a. a verbal or written apology
  - b. mediation (where consented to by all parties)
  - c. systemic actions, for example the provision of resources, clarifying documentation or procedures
  - d. disciplinary action, including a Disciplinary Action Improvement Plan
  - e. a Performance Improvement Plan.
- 5.2. The Complaints Manager is responsible for ensuring the outcome is appropriately communicated to all parties, including the Executive Officer, in order that the complaint can be finalised.
- 5.3. All documentation for a complaint is to be confidentially stored by the Complaints Manager or Executive Officer by attaching the documentation to the Complaint details in the TCS Complaints management database.

5.4. The Executive Officer is to record the date finalised in the TCS Complaints management database as advised by the Complaints Manager.

5.5. It is acknowledged that not all parties will be provided with detail as to the specific outcome, with due regard to the privacy of individuals involved.

## 6. Review

6.1. At the conclusion of any complaints management procedure, a review should be undertaken to determine whether there are any systemic issues that require addressing, for example improvements to procedures and guidelines or work practices.

## 7. Appeals

7.1. Where a complaint is finalised and one or more of the parties to the procedure are unsatisfied with the outcome, they should in the first instance raise their concern with the Complaints Manager.

7.2. Where this does not reach a satisfactory outcome, the complaint should be referred to the Executive Officer who, in consultation with the relevant Directorate, will determine the appropriate person or body to address the appeal.

## 8. Complaints in relation to non-compliance with the [TCS Student Protection processes and guidelines](#)

8.1. Where a complaint is made in relation to an allegation of non-compliance with the Student Protection processes and guidelines, the complaint will be referred by the Executive Officer to the Director: People and Engagement Services (Director:PES).

8.2. The Director:PES will engage the Manager: Professional Standards in managing the complaint, which will then be addressed in accordance with the principles and processes outlined in this procedure.

## Authority

This procedure is the responsibility of the Director: People and Engagement Services. Any changes to this procedure can only be made with approval from the Director: People and Engagement Services or Executive Director: Catholic Schools.

## Version control and change history

### Effective date

16/8/2022

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