



# School Disputes and Complaints

## RESOLUTION PROCEDURE

### School Disputes and Complaints Resolution Procedure

| Sources of Authority                               |                                  |
|----------------------------------------------------|----------------------------------|
| Quality Catholic Education Pillar                  | Community Pillar                 |
| Catholic Education Western Australia (CEWA) Policy | Dispute and Complaint Resolution |
| Effective Date                                     | 21/4/2026                        |
| Approved by                                        | Mark Browning                    |

### Our Mission

At St Mary MacKillop College (School), we prioritise every child's wellbeing. We aim to nurture each individual's gifts in a safe, caring, and inclusive environment where all feel respected and valued.

Our College mission is to provide a quality holistic education in the Catholic tradition, empowering each individual to Choose Life with Courage in the spirit of Jesus and St Mary MacKillop. Our College community is committed to fostering a love of learning, the development of the whole person, and openness to meaningful relationships with God, self and others. Our decision making is grounded in our core values of Faith, Inclusion, Respect, Service and Truth (our FIRST principles).

### Our Commitment

Our College is committed to resolving concerns, disputes, and complaints in a manner that is respectful, fair, and consistent with Gospel values. We aim to build a safe, transparent, and responsive College culture that nurtures trust and continuous improvement. Our College supports the rights of parents/guardians, students and staff to have their complaints taken seriously, and responded to promptly and thoroughly.

We are committed to maintaining an accessible and transparent complaints management system that ensures our College community understands the process for addressing disputes and complaints, enables the effective capture, management and reporting of concerns, and supports continuous improvement through regular review and action. Training is provided to staff on the dispute and complaint process and effective conflict resolution.

Our College is committed to ensuring the safety, welfare and well-being of all children and people at the College. We want children to be safe, happy and empowered. We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and with consistency. We will always give priority to any complaints involving the safety, welfare and well-being of students.

This procedure deals mainly with procedures for parents and caregivers, students (including past students) and the wider College community. This procedure does not cover complaints from staff members about aspects of their employment.

Our approach aligns with:

- CEWA Executive Directives
  - Dispute and Complaint Resolution
  - Information Stewardship
- The National Principles for Child Safe Organisations (Principles 6 & 9)
- Australian and international complaints handling standards (ISO 10002:2018, AS/NZS 10002:2014)

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| Definitions                |                                                                                                                                                                                                          |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Complaint</b>           | An expression of dissatisfaction made to the College about its services, decisions, actions or those of its staff, or about the complaint management process itself.                                     |
| <b>Complainant</b>         | The person/s making the complaint. Complainants are personally responsible and liable for the content of their complaints.                                                                               |
| <b>Dispute</b>             | A conflict regarding a right, claim, or demand on one side, met by contrary claims or allegations on the other.                                                                                          |
| <b>Good Faith</b>          | A report is made in good faith when it is relevant to the College's standard of conduct and made in the honest belief that the matter should be raised. Importantly, Good Faith may be negated by malice |
| <b>Procedural Fairness</b> | The rules of procedural fairness require:<br>(a) a hearing appropriate to the circumstances;<br>(b) lack of bias;<br>(c) evidence to support a decision; and<br>(d) inquiry into matters in dispute      |
| <b>Resolution</b>          | A matter has been duly investigated and resolved to the satisfaction of the Principal according to this procedure, with the outcome communicated to the relevant parties.                                |
| <b>Students</b>            | Children and young people enrolled in the College                                                                                                                                                        |
| <b>Trauma</b>              | (Registration Standard 7)<br>A trauma is a psychological wound or injury suffered at school or during a school-related activity. [Australia Psychological Society]                                       |

## Guiding Principles

The following principles apply to the management of all complaints:

- All persons in the school community including students, parents, administrators, teachers and support staff, have a right to be treated with respect and courtesy.
- All parties have the right to be heard and treated fairly; procedural fairness is afforded to all parties.
- A complaint may be raised in any format, reported to any person with whom the complainant feels safe and will be taken seriously.
- All concerns and complaints will be acknowledged and handled respectfully and confidentially.
- Where possible, informal resolution is encouraged between the parties directly involved, at the local level.
- Complaints made by parents will not reflect adversely on their children and similarly, complaints raised by students will not reflect adversely on them or on other students.
- The College's Code of Conduct, which assures the protection of a complainant from victimisation or other adverse consequences if they make such reports in good faith.
- All complaints are documented, monitored, and reviewed to support improvement.
- Warranted investigation will be pursued with or without the active involvement of the complainant.
- Vexatious, trivial or previously finalised issues are not pursued.
- Confidentiality is maintained, to the extent that it is consistent with legislative requirements and the other principles outlined in this section.
- Collection, storage, use, disclosure and access to personal information will comply with the Privacy Act 1988 (Cth).
- Complaints are monitored and their management evaluated to reduce the occurrence of systemic and recurring problems.
- In all matters, the wellbeing of students is the priority and guiding imperative.

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### What Constitutes a Complaint

A complaint is an expression of dissatisfaction (real or perceived) with our College services, decisions, actions or those of its staff, or about the complaint management process itself.

A complaint may be made about:

- a) the College as a whole or a specific department;
- b) about the provision of education or a particular school activity;
- c) failure to meet expectations in fairness and interactions;
- d) the conduct of any school employee, relief teacher or volunteer (including the Parents and Friends Group and members of the School Advisory Council);
- e) breaches to relevant school procedures, Code of Conduct or a CEWA policy.

### Resolving Concerns and Informal Complaints

The majority of issues causing concern can be handled quickly and in an informal manner through respectful communication with the relevant people. In most cases, these issues can be resolved through informal discussions.

Parents and caregivers are welcome to talk to their child's teacher, however, you should always make an appointment to arrange a mutually convenient time.

A concern will be treated as a less serious matter that may be resolved with a more informal approach. We encourage all members of our College community to first treat their issue as a concern when approaching the College and then lodge a formal complaint if this is not handled to their satisfaction.

A dispute or complaint will be treated as something that requires the formal process detailed below.

However, in unique circumstances or where a matter involves an immediate risk to the health, safety or wellbeing of a student, the matter should be referred directly to the Principal.

### Roles and Responsibilities

College staff and the College leadership are responsible for recording, investigating and resolving complaints and analysing them to identify causes and inform continuous improvement.

| Role                                               | Responsibility                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <b>CATHOLIC EDUCATION WESTERN AUSTRALIA (CEWA)</b> | CEWA is the governing body for Catholic schools in the CEWA system of schools. CEWA establishes the strategic direction and provides over-arching policies for schools in the CEWA system, including policies relevant to this procedure: <ul style="list-style-type: none"><li>o Dispute and Complaint Resolution</li><li>o Information Stewardship</li></ul>                                                                                                                                                                                                    |
| <b>COMPLAINANT</b>                                 | Complainants are responsible for raising their complaint according to this procedure. Complainants are the owner of the complaint and are personally responsible and liable for the content of their complaints.<br><br>Importantly, at no time is it appropriate for a parent to approach a child or their parent in the school grounds, for the purpose of resolving an issue concerning their own child. This can become a breach of the Code of Conduct.                                                                                                      |
| <b>PRINCIPAL</b>                                   | The principal is accountable for ensuring that appropriate and relevant procedures are developed, implemented and reviewed on a regular basis and relevant reporting is completed.<br><br>They are also responsible for ensuring all staff are educated about the College's complaints management procedures and maintaining accurate records in the College's complaints register.<br><br>The principal is accountable for ensuring all complaints involving child safety are escalated and managed appropriately, and compliance with mandatory reporting laws. |

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| Role                                                                         | Responsibility                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>PRINCIPAL'S DELEGATE</b><br>(Complaints Officer)                          | The principal may delegate the role of managing complaints to Complaint Officer who is authorised to record, investigate and manage complaints on behalf of the principal. They are required to maintain accurate records in the complaints register and liaise with parties to a dispute or complaint.                                                                                                                                                                 |
| <b>RELIEF STAFF / DUTY STAFF / EDUCATIONAL ASSISTANTS</b>                    | Duty staff should refer all matters to the students' classroom teacher or Assistant Principal.<br>Informal complaints directed to Educational Assistants should be referred to the class teacher.                                                                                                                                                                                                                                                                       |
| <b>SOCIAL WORKER / CHAPLAIN / PASTORAL CARE WORKER</b><br>(where applicable) | Social workers, Chaplains and Pastoral Care workers are often the first point of contact for student informal complaints and are in a unique position to provide valuable support to de-escalate issues, achieve informal resolution or accompany a student as a support person.<br>Where a person makes a formal complaint, staff must refer them to the Leadership Team/ Principal.                                                                                   |
| <b>STAFF</b>                                                                 | All staff are authorised to deal with informal complaints/concerns.<br>Teaching staff are to record the resolution of informal matters in SEQTA if directly related to a student. If general and directed to the College or to the class, the recording is to be sent through to Principal and/or Leadership team for noting in the complaint's record spreadsheet.<br>Where a person makes a formal complaint, staff must refer them to the Leadership Team/Principal. |
| <b>STUDENT</b>                                                               | Students are children and young people enrolled in our College.<br>Students are taught, through the age appropriate Keeping Safe: Child Protection Curriculum, how to raise concerns or make a complaint by speaking to a trusted adult at school, ensuring they know their voice will be heard and respected.                                                                                                                                                          |
| <b>VOLUNTEERS</b>                                                            | Volunteers may be approached by members of the College community, in the capacity of their volunteer role. It's appropriate to listen respectfully if approached, however it is not the role of a volunteer to offer solutions in this instance.<br>Volunteers are to refer informal and formal complaints and/or report concerns to the students' classroom teacher or Leadership Team/Principal immediately.                                                          |

## Fair Process

Fairness must be afforded to both the complainant and the person against whom the complaint is made. Importantly, procedural fairness refers to the process undertaken by the decision-maker in reviewing the complaint and reaching a determination, rather than the actual outcome reached.

The rules of procedural fairness require:

- a) **a hearing appropriate to the circumstances** - ensuring that the hearing is suited to the seriousness of the case and the specific facts, while always allowing those involved to be heard and to respond to the issues raised. For example, concerns that can be resolved with the classroom teacher do not usually require immediate escalation to the Principal.

- b) **lack of bias** – ensuring that all parties are treated with impartiality, there is no conflict of interest and the decision maker is free from bias or the perception of bias. Decision-makers must ensure that they do not have a personal interest in the matter that could influence the outcome.

- c) **evidence to support a decision** - decisions must be supported by clear, objective, and factual evidence. Staff members should be able to explain their reasoning and the factors considered in reaching a decision.

- d) **inquiry into matters in dispute** – issues of facts which are in dispute must be investigated, rather than accepted at face value. An appropriate and fair process will be followed to substantiate any claims before decisions are made.

These guidelines ensure fairness, transparency, and accountability in addressing concerns within our College community.

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### Making a Formal Complaint

We ask that, where appropriate, you first raise the matter directly with the relevant staff member.

If that is not appropriate or the issue was not addressed to your satisfaction, or you simply wish to make a formal complaint you can do so by any of the following means:

1. Lodging a complaint via the College's email address: **admin@mackillop.wa.edu.au**
2. Send an email to the Principal Mark Browning, **Mark.Browning@cewa.edu.au** or in writing to St Mary MacKillop College, PO Box 5370, West Busselton 6280
3. Telephoning the school administration on **(08) 9752 7400** and requesting to speak to the Principal/Leadership Team, or
4. Any other format you feel is available and/or culturally appropriate.

A person lodging a complaint may choose to have a support person present throughout the process.

Where a dispute or complaint is about the Principal, and there is no likelihood that it can be resolved directly with the Principal, or the Principal has a conflict of interest, the immediate parties may refer the dispute or complaint in writing to the Executive Director of Catholic Education Western Australia Limited (CEWA Ltd), 50 Ruislip St, West Leederville WA 6007, or using the Feedback form on the CEWA website.

### Anonymous Complaints

Complainants have the right to remain anonymous, however, they are always encouraged to identify themselves.

If a complainant chooses to make a complaint without disclosing their identity, this may limit the options for acknowledgement, proper and thorough investigation and notifying of the resolution. It also raises issues in relation of procedural fairness for those who have a complaint made against them as they have the right to know of the particulars of the complaint and to respond. The College therefore cannot guarantee that anonymous complaints can be dealt with as effectively, and the complainant may not receive any updates or notification of the outcome of the complaint.

### Confidentiality

Confidentiality applies with respect to both information relating to the person making the complaint, and if relevant, to a person against whom a complaint is made. Our College is committed to maintaining the confidentiality of information throughout the complaints process.

Children and young people have the same right to privacy, anonymity, and confidentiality as adults. Children and young people may waive their right to privacy and confidentiality if they decide to involve somebody else in the complaints process, eg. to access support.

As far as possible and appropriate, due discretion will be respected and maintained by all parties throughout the resolution process, save where persons are required to be informed on a 'need to know' basis or where investigative, statutory or legal requirements stipulate that matters be disclosed, reported or discussed. Therefore, there can be no overriding legal obligation or right with respect to confidentiality.

Where complaints are made in circumstances where an alleged crime may have been committed or the matter falls under the CEWA Child Protection Procedures, the WA Police and CEWA will be contacted and formally advised.

### Culturally Safe Practices

Our College is committed to ensuring a culturally safe, respectful, and inclusive complaints process for all members of our diverse College community. We recognise and honour the cultural identities and experiences of all families, including First Nations peoples and those from culturally and linguistically diverse backgrounds.

Appropriate avenues will be provided for students, parents/carers, and community members to raise concerns in a way that respects their cultural needs. All staff will listen actively and support every complainant throughout the process, ensuring cultural awareness and sensitivity, especially in relation to the historical and intergenerational trauma experienced by First Nations peoples.

Where needed, the school will provide access to culturally appropriate therapeutic support, interpreters, and support people to ensure every voice can be heard and valued.

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### Child Friendly Practices

We recognise that students, like adults, have the right to express concerns or complaints. Our school is committed to making the complaints process visible, accessible, and responsive to the needs of all students.

Students are encouraged to share any concerns with someone they trust at school. This might be their classroom teacher, a support staff member, or someone from the Leadership Team. Younger students may also speak to an older student, who will then pass on the concern to a trusted adult.

Students can make a complaint in different ways:

- Face to face
- Requesting a meeting with a member of the Leadership Team/Principal via the school office
- By telephone (08) 9752 7400
- In writing and handing the letter to the administration staff, addressed to their teacher or the Principal.

Complaints should be acknowledged promptly, so students feel confident they are being heard and taken seriously. Even if a complaint seems minor, it must be treated with care and respect. Students often test the process with small issues before building the courage to speak about more serious matters like bullying.

If the concern is sensitive or difficult to talk about, students may need extra time and support. They are encouraged to choose someone they feel safe with - another student or a trusted adult - to assist them through the process.

In circumstances involving an allegation or complaint in relation to grooming, child abuse and breaches of the Code of Conduct the school will follow the CEWA Child Protection Procedures (Mandatory Reporting), and the matter is reported promptly to the responsible government authorities.

### Withdrawal of a Complaint

Anyone may withdraw a complaint or dispute at any stage of the resolution process. A written complaint should preferably be withdrawn in writing. A verbal complaint may be withdrawn verbally and a notation made to that effect. The staff member who received the complaint will give notice in writing to any parties affected by the complaint that it has been withdrawn.

If a complaint is withdrawn, the matter will be deemed to be closed, unless we, at our discretion and in all the circumstances, wish to continue to address a matter raised. Complaints that warrant investigation must be pursued even though the complaint has been withdrawn.



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| Complaints: Formal Resolution Process |                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Step 1:</b>                        | <b>RECEIVE &amp; RECORD</b>                      | All formal complaints are received and logged by the Principal or Principal's delegate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Step 2:</b>                        | <b>ACKNOWLEDGE</b>                               | Complaints are acknowledged in writing by the Principal or Principal's Delegate as soon as possible and within 3 school days of receipt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Step 3:</b>                        | <b>ASSESS &amp; INVESTIGATE</b>                  | <p>The Principal or Principal's Delegate investigates the issues raised, applying the principles of procedural fairness. At this point, any immediate risks are identified and addressed.</p> <p>Where there is a relevant CEWA policy, legislation or regulatory mechanism (including Enterprise Agreement) that addresses the issue raised in the dispute or complaint, that will be followed.</p> <p>Parties may involve a support person(s) to assist them in resolving the dispute or complaint.</p>                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Step 4:</b>                        | <b>COMMUNICATION &amp; DETERMINATION</b>         | <p>The Principal or Principal's Delegate should communicate with the complainant with the steps taken to resolve the complaint, or an update as to when this will occur, within ten school days of receipt.</p> <p>The decision maker (Principal or Principal's Delegate) makes a determination, based on the evidence of the investigation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Step 5:</b>                        | <b>RESPOND &amp; PROPOSE RESOLUTION</b>          | <p>The outcome is provided to all parties (where appropriate), with a proposed resolution or restorative way forward (if relevant).</p> <p>A proposed resolution may include clarification, apology, policy amendment, staff coaching, or systemic change.</p> <p>When the Principal is satisfied that a complaint has been addressed and resolved in accordance with this school procedure, the CEWA Policy on Dispute and Complaint Resolution Executive Directive and any other relevant, Executive Directive or process the matter is closed.</p>                                                                                                                                                                                                                                                                                                                             |
| <b>Step 6:</b>                        | <b>FURTHER INVESTIGATION &amp; FINAL OUTCOME</b> | <p>In the event further information is provided after the initial determination has been communicated, the complainant may request the Principal or Principal's Delegate consider the additional information provided. The decision maker may request further information from involved parties to pursue further investigation if warranted.</p> <p>The aim is to resolve the further investigation within 14 days from the start of the further investigation period. External assistance (e.g., CEWA's Employment Relations Team or School Improvement Advisor) may be engaged.</p> <p>When the Principal is satisfied that a complaint has been addressed and resolved in accordance with this school procedure, and the CEWA Policy on Dispute and Complaint Resolution Executive Directive and any other relevant, Executive Directive or process the matter is closed.</p> |

# School Disputes and Complaints

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### Reviews and Appeals

Even when all procedural requirements are met and procedural fairness is provided to everyone involved, there may still be instances where the complainant remains dissatisfied with the outcome of their complaint.

For matters that cannot be resolved at a school level, or the person remains dissatisfied with the resolution, parties may request a review of the decision in accordance with the College procedures and CEWA over-arching policies by writing to the Executive Director of Catholic Education Western Australia (CEWA).

Examples of types of matters that may be reviewed:

- Complaints that are perceived as not having been resolved properly
- Situations where someone feels they were treated unfairly
- Issues with how school rules or policies were used
- Delays in dealing with the complaint
- Possible conflicts of interest
- Poor or unclear communication
- Outcomes that seem unfair or unreasonable
- Problems that keep happening and may affect more people.

Types of reviews may include:

- a. Merit Review: this involves a reconsideration of the original decision, taking into account all evidence and circumstances, to determine if the outcome was reasonable.
- b. Process Review: this examines how the complaint was managed to ensure policies and procedures were followed fairly and consistently.

Reviews may include one or both types depending on the nature of the complaint.

### The Role of the Director General

The Director General of the Department of Education is responsible for ensuring that the College 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 College has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the College has breached the registration standards, the Director General does not have power to intervene in a complaint or override the College's decision.

### Record Keeping

Complaints records are required to be sufficiently detailed and contain relevant information to support the decision maker in resolving the complaint.

- Informal complaints/concerns – informal concerns or complaints, and their resolution regarding students or parents are recorded on SEQTA by the staff member who has been informed of the complaint/concern.
- Formal Complaints - all formal complaints and their resolutions are documented on the Complaints Register by the Principal or Principal's Delegate and securely stored.

The Principal is responsible for ensuring that all relevant information used to make decisions about a formal dispute or complaint is properly documented and stored. This includes statements provided by the parties involved.

Schools are required to keep records of complaints, allegations and findings related to grooming and child abuse, whether involving former or current staff or students. Records must contain as much detail as possible, be stored securely and not destroyed without prior approval of the Director General of Education.

All records are stored appropriately and securely in accordance with the CEWA Records Disposal Authority document. Our College follows the CEWA Record Retention Disposal Authority timelines, which currently include a permanent freeze on the destruction of all student records.



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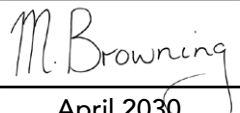
### Continuous Improvement

Disputes and complaints, and the resolution of such, provide an opportunity for continuous learning and improvement so that the potential for repeated incidents are minimized. Complaints will be analysed to identify causes and systemic issues and inform continuous improvement, including effectiveness and efficiency of the complaints management system itself.

Areas that may be considered are:

- the number of complaints and any trends over time;
- the types of issues or services involved;
- the outcomes of the complaints; and
- the demographics of complainants.

Findings inform school improvement planning, policy review, and professional learning. The principal communicates the findings of relevant reviews to staff, volunteers, College community members and students via P&F meetings, College Advisory Council Meetings, Staff Meetings, Newsletters, Catholic School Improvement Plan, for example.

|                      |               |                     |                                                                                      |
|----------------------|---------------|---------------------|--------------------------------------------------------------------------------------|
| <b>Authorised By</b> | Mark Browning | <b>SIGNATURE:</b>   |  |
| <b>DATE:</b>         | 21 April 2026 | <b>NEXT REVIEW:</b> | April 2030                                                                           |

| <b>Version Control</b> | <b>DATE</b>   | <b>AUTHOR</b> | <b>RATIONALE</b> |
|------------------------|---------------|---------------|------------------|
| 1.0                    | 21 April 2026 | Mark Browning | Initial release  |
| 2.0                    |               |               |                  |
| 3.0                    |               |               |                  |