

# Complaints and Grievances



ILKORTELLO



# LORETO Mandeville Hall Toorak

## COMPLAINTS & GRIEVANCES

### INTRODUCTION

The resolution of conflict is essential to the values, beliefs and practices inherent in the Gospel of Jesus Christ, the vision of Mary Ward and the educational tradition of the Institute of the Blessed Virgin Mary. Central to all our working relationships is mutual respect.

Loreto Toorak is committed to develop as a faith and educational community in which we seek to resolve all conflict. The practices used at Loreto Toorak to support the resolution of any conflict that may arise are in line with the values of the school.

When addressing a complaint, it is expected that community members and school staff will:

- raise the concern or complaint as soon as possible after the issue has arisen
- show respect and understanding of each other's point of view
- operate within applicable legislation
- acknowledge that their goal is to achieve an outcome acceptable to all parties
- act in good faith and in a calm and courteous manner
- recognise that all parties have rights and responsibilities which must be balanced

### LORETO TOORAK'S COMMITMENT

At Loreto Toorak, we aim to provide an open, welcoming, inclusive and safe environment for all. The School prides itself on the strength of the School community who are valuable contributors in the life of the school.

In building and nurturing this culture, we recognise that complaints and grievances are an important way for the School community to provide information and feedback to the School. Loreto Toorak considers that every complaint provides a valuable opportunity for reflection and learning.

Loreto recognises a person's right to make a complaint and its responsibility to provide a framework within which efforts can be made to resolve complaints. We believe complaints are best handled in an environment where people feel able to speak up about issues and concerns.

Loreto Toorak is committed to handling complaints effectively, efficiently and with transparency. To do this, we have established a complaints handling process in line with both the international complaints handling standard (ISO 10002:2018 Quality management – Customer satisfaction - Guidelines for complaints handling in organizations), and the Australian/New Zealand complaints handling standard (AS/NZS 10002:2014 Guidelines for complaint management in organisations).

Loreto provides a clear process for resolving complaints, treating people fairly, in a timely manner. It also aims to provide people involved in a complaint with a fair opportunity to respond to issues and to present their views.

The Principal (or her representative) is responsible for the efficient and effective organisation, management and administration of the school including the school's complaint-handling processes.

Complaints about the Principal should be referred to Chair of the School Board.



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This Complaints Handling Policy applies to all members of Loreto Toorak, the St Peter's Early Learning Centre (ELC) and the broader community and is designed to:

- ensure that Loreto Toorak meets its obligations to respond to complaints and grievances in a fair, effective and efficient manner; and
- assist you to understand how to make a complaint.

## WHAT IS A COMPLAINT?

A complaint is an expression of dissatisfaction made to Loreto Toorak, related to our services or operations, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected. This policy does not apply to matters about which there are existing rights (and processes for) review and appeal, such as matters relating to serious employee misconduct, student critical incidents and criminal activities

For the purpose of this policy:

- a complaint will be 'dismissed' if it is established that the complaint is vexatious, malicious, has no substance or, evidence is vague or ill-defined
- a complaint is considered to be 'resolved' when an acceptable outcome to both parties has been reached
- a complaint is considered to be 'finalised' when the relevant contact person has made a final determination on the matter after exhausting the processes set out in this policy
- a complaint is considered to be 'unresolved' when agreement cannot be reached on a course of action and/or a remedy, or if the remedy cannot be implemented

## INFORMAL COMPLAINTS RESOLUTION

Most complaints, concerns and disputes raised are of a minor nature, or the complaint is a result of misunderstanding or lack of communication. These kinds of complaints are better resolved through an informal process. We therefore ask that, where appropriate, you first raise your concern directly with the relevant staff member. Informal complaints may also be referred at any time to the relevant contact person.

Informal complaints may be resolved by:

- an informal discussion between the relevant contact person or appropriate Staff Member and the complainant
- the relevant contact person or appropriate Staff Member talking to both the complainant and the respondent separately; or
- the relevant contact person or appropriate Staff Member bringing the complainant and respondent together for conciliation.

Conciliation is not mandatory however, bringing the complainant and respondent together to discuss their different perspectives on the issue may encourage a quick and simple resolution.

If, however, the informal process does not resolve the complaint, then the complainant should be given a copy of this Complaints Handling Policy and formal complaint procedures should be



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implemented. Note that an informal process may be formalised at any time by the relevant contact person, appropriate Staff Member, complainant or respondent.

## FORMAL COMPLAINTS RESOLUTION

There are four internal steps to the formal complaints procedure: making and receiving a formal complaint, investigating the complaint, making a finding and determining appropriate resolution and finally, communicating the determination or resolution of the complaint.

At all times in this internal process a complainant may pursue external resolution of a dispute if they deem it necessary.

### Step 1: Making and responding to complaints in writing

All formal complaints must be made in writing to the relevant contact person as follows:

- for all matters in the Senior School – the Principal (or her representative)
- for all matters in the Junior School (Rathfarnham) and the ELC – the Director of Rathfarnham & ELC.

All formal complaints will be acknowledged in writing as soon as possible and within 7 business days of receipt.

### Step 2: Investigation of the complaint

To investigate the complaint, the relevant contact person must:

- establish the precise nature of the complaint
- investigate the complaint for substance, and decide if the complaint should be upheld
- notify the respondent in writing of the complaints against them
- advise both the complainant and respondent of their right to have a support person with them at all interviews and discussions
- interview the complainant and respondent separately
- give both the complainant and respondent appropriate opportunity to contribute their views on, and responses to, the issues raised in the complaint
- keep written accounts of all interviews and discussions

If it is established that the complaint is vexatious, malicious or has no substance, or that the evidence is vague or ill-defined, then the complaint can be immediately dismissed. In these instances, a letter outlining the outcome of the investigation must be sent to both the complainant and the respondent and counselling may be offered.

If the evidence is clear and the relevant contact person can substantiate the complaint, they must then make a determination, formulate a resolution and provide a written response to the complainant and respondent.

### Step 3: Communicating the determination and resolution of the complaint

A written response outlining the issues, the decision made, and the outcome of the complaint should be sent to both the complainant and the respondent. The complaint will be closed if the resolution is



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accepted. Loreto Toorak will endeavour to provide this written response within 14 business days of acknowledging receipt of the formal written complaint.

## Step 4: Escalation of the complaint

It may not always be possible to resolve all complaints to the complainant's satisfaction. This could happen when the nature of the issues raised in the complaint is governed by Loreto Toorak policies or procedures or if the complainant has unrealistic expectations about the outcome of their complaint.

If the matter cannot be resolved by the implementation of steps 1-3 above, then the matter may, on the written request of the complainant or respondent, be reviewed again by:

- for all matters that were referred to the Principal in the first instance, the Chairman of the Loreto Toorak Board; or
- for all matters that were referred to the Director of Rathfarnham & ELC in the first instance, the Principal.

A written response outlining the review decision made and the outcome of the complaint should be sent to both the complainant and the respondent. The complaint will be closed if the resolution is accepted.

## Step 5: External Resolution of the complaint

If the complaint remains unresolved, the complainant may pursue external resolution alternatives.

## 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. Loreto Toorak is committed to maintaining the confidentiality of information throughout the complaints handling process.

Personally, identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

Where a complainant has real and substantial concern that, as a result of raising a complaint, they may suffer a detriment and the allegations relate to corrupt conduct, they may have access to protection under the provisions of the Protected Disclosure Act 2012 (PD Act). The PD Act defines the types of complaints that may be accepted as complaints under this Act.

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