



# Mount Lilydale Mercy College Complaint Management Protocol Implementation Guidelines

## 1. INTRODUCTION

- 1.1. The Complaints Management Protocol Implementation Guidelines provide information on how and where to make a complaint, as well as how a complaint will be handled. The following steps can guide the process in making a complaint about issues arising at the College

## 2. PROCEDURE FOR COMPLAINTS

- 2.1. A **complaint** is an expression of dissatisfaction with an action taken, decision made, service provide or handling of an issue at Mount Lilydale Mercy College. A **concern** is a lighter matter whilst a **grievance** may be a legal matter and is not covered in these guidelines.
- 2.2. The College has developed and maintains a fair, effective and efficient complaints-handling procedure so that complaints about events or decisions can be addressed. The following steps can guide the procedure in making a complaint about issues arising.

### 2.2.1. Concerns

The vast majority of matters causing concern can be handled quickly and efficiently by addressing the issue with the appropriate staff member.

Due to teachers' classroom and supervision duties, a complainant's first contact is best made by email, with an appointment request for either a phone conference or face-to-face meeting. The table below indicates the relevant staff member as the first point of contact.

Area of concern	Staff point of contact
Student Wellbeing matter	1. Homeroom teacher 2. Year Level Leader 3. Deputy Principal Pastoral Care (and/or Counsellor if required)
Student Learning matter	1. Subject Teacher 2. Faculty Learning Leader 3. Campus Learning Advisors 4. Director of Learning 5. Deputy Principal Learning & Teaching

VCE and VCAL	VCE Coordinator Barak Campus Director
VET / RTO	VET / RTO Leader
Learning Diversity matter	1. Learning Diversity Leader 2. Director of Learning 3. Deputy Principal Learning & Teaching
Financial / Fees	Business Manager
Staff member	Principal
Other concern	Please ask Reception to direct you to the appropriate staff member

### 2.2.2. Complaints

Clarify the issue

- Be clear about the topic or issue to be discussed.
- Be mindful of the need to ascertain all the facts relating to circumstances of the topic or issue.
- Think about what would be an acceptable outcome.
- Check and observe the College's Complaints Management Protocol.

### 2.3. Making the complaint

Contact the Principal or Deputy Principal

- If the concern remains unresolved after discussion with the relevant person/s at the College, request an appointment, through College reception, to discuss the concern with the Principal or Deputy Principal.
- The Principal may be represented by another senior staff member. If the relevant staff member is going to be present at the meeting, the meeting time is more likely to occur outside classroom hours.
- Ensure the relevant person/s is given a reasonable period of time to take the steps required to resolve or address the concerns.

### 2.4. Expectations of and Information for Parents / Guardians / Carers

2.4.1. In making a complaint, the College requests and expects that the complainant will:

- raise the concern or complaint as soon as possible after the issue has arisen
- communicate and respond in ways that are constructive, fair and respectful
- provide complete and factual information about the concern or complaint
- observe confidentiality and a respect for sensitive issues
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about possible outcomes/remedies.

2.4.2. Receipt of written complaints will be acknowledged by communicating with the complainant as soon as possible. Complaints will be addressed promptly and the persons involved will be kept informed of the progress of their complaint when the matter is complex and will take time to bring to resolution.

- 2.4.3. The actions taken to respond to a complaint will be well documented and include the reasons underpinning any decision made.
- 2.4.4. Each complaint will be treated in an equitable, objective and unbiased manner. The College undertakes that complainants will not be discriminated against or victimised for exercising their rights to make a complaint.
- 2.4.5. Personally identifiable information concerning the parent, guardian or carer will be actively protected from disclosure except where needed in relation to the complaint, or to the extent that disclosure of information is required or authorised by law (e.g. child safety legislation). This means the complaint will only be discussed with those directly involved in the complaint-handling process.
- 2.4.6. Parent, guardian, carer and student complaint-handling procedure will be regularly reviewed for improvement. Complaint data and feedback will be used to identify recurrent themes and to implement measures where a need is identified.
- 2.4.7. When addressing a complaint, it is expected that parents, guardians, carers, students and College personnel will
- Show respect and understanding of each other's point of view
  - Operate within applicable legislation (including Privacy Law).
  - 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.
- 2.4.8. All complaints will be considered in accordance with the College's complaint-handling protocol and any related policies including when parent, guardian, carer or student behaviour is thought to be unreasonable.
- 2.4.9. While a decision-maker considers a range of factors and views, they may at any point in the process outlined in the Protocol consider a parent(s), guardian(s), carer(s) or student(s) behaviour to be unreasonable. In these circumstances, it is appropriate for the decision-maker to communicate the basis on which the conclusion was made to the parent, guardian, carer or student in writing. The decision-maker may also indicate an acceptable procedure for future communication with the parent, guardian, carer or student about their complaint.
- 2.4.10. MLMC considers behaviour to be unreasonable when
- It is clearly and significantly outside the expectations of cooperation, courtesy and respect
  - It calls for staff resources and time unjustified by the nature or significance of the complaint
  - An action or complaint is brought without merit, often to cause annoyance to another person
  - It is oriented towards conflict.
- 2.4.11. If a concern/complaint relates to a child's treatment by another student or students while at MLMC, the College expects that individuals will refer the matter directly to the College via the child's class teacher, deputy principal

or principal. Under no circumstances should individuals approach another student in the care of the College to discuss the issue or chastise them. Direct contact with parents to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the College.

- 2.4.12. Parents/guardians/carers making complaints are to be respectful, confidential and courteous. Parents/guardians/carers who are unreasonable, threatening or discourteous can expect their discussions with the principal to be terminated until such time as an alternative discussion time is arranged by the College.

## 2.5. Process for Dealing with Complaints

The College will record the details of all complaints including the name and contact details of the persons making the complaint. The College will then refer the complaint to the most appropriate person to undertake an inquiry. There will be many occasions that this will be someone other than the Principal. The staff member conducting the inquiry may conduct a preliminary inquiry or communicate with the parent to discuss the matter further.

If the scope of the inquiry is beyond the capacity or jurisdiction of the College, the matter will be referred to Mercy Education Limited and the parent/guardian/carer will be informed of the referral.

Parents/guardians/carers discussing complaints with the Principal may be accompanied by a support person. The support person can be a family member, a friend or a professional with knowledge of the student. Any person acting in a professional capacity on behalf of the parents/guardians/carers must provide their occupational details and full name prior to the meeting being held. It is at the Principal's discretion if an external professional is a participating member of any College meeting. The support person may encourage and facilitate sharing of parent/guardian/carer knowledge, perception and issues. The support person should support a positive working relationship between all parties. The support person does not speak on behalf of parents/guardians/carers when discussing complaints with the Principal.

Any inquiry conducted by the College will be done so in a timely, efficient and confidential manner, ensuring the fair principles on natural justice are applied for all. Parents/guardians/carers will be provided with an anticipated timeframe for a resolution. The staff member conducting the inquiry will record the details of the inquiry.

Privacy laws may prohibit information being provided to the complainant of any specific action that has been taken in relation to individuals about whom the complaint has been raised.

## 2.6. When a complaint is found to be justified

MLMC is able to resolve the complaint by

- An apology or expression of regret
- A change of decision
- A change of policy, procedure or practice
- A refund of payments
- Offering the opportunity for student counselling or other support.

- 2.7. When a complaint is found to be not justified
- An explanation will be provided of how the decision is consistent with MLMC's policies, protocols and/or procedures
  - That the decision taken is realistic and is supported by an external agency that specialises in the area under consideration
  - Mercy Education policy, guidelines and/or procedures support the decision.
- 2.8. Complaint escalation
- 2.8.1. MLMC may not be able to fully address complaints that are made anonymously or without sufficient details being provided to enable an investigation or resolution of the matter. To ensure procedural fairness, respondents have a right to know the particulars of the allegation(s) being made against them and be given an opportunity to respond to them.
- 2.8.2. When it is unlikely that a complaint will be resolved using the College's complaint-handling procedures, the Principal will seek advice from Mercy Education Limited.
- 2.8.3. When a parent, guardian, carer or student is not satisfied with the manner in which their complaint has been treated, or their complaint is about the Principal, the complainant can contact Mercy Education Limited.
- 2.8.4. When a complaint remains unresolved after referral to Mercy Education Limited complainants are able to take their complaint to an external agency such as the VIT, Victorian Equal Opportunity Commission (VEOC), the Human Rights and Equal Opportunity Commission (HREOC) or the Victorian Registration & Qualifications Authority (VRQA).
- 2.8.5. Where a complainant has real and substantial concerns that, as a result of raising a complaint, they may suffer a detriment and the allegations relate to corrupt conduct, they should be made aware that they are able to take their complaint to an external agency such as VIT, VEOC, HREOC or VRQA.
- 2.8.6. The Principal may contact Mercy Education Limited and request intervention to help resolve a complaint and be of the belief that the complaint would not be able to be resolved at the College level. The complainant will be advised that their complaint will be handled by MEL.
- 2.8.7. It may not always be possible to resolve all complaints to the complainant's satisfaction.
- 2.9. Withdrawal of a complaint
- Provided the complaint has not been referred to the CCYP, a complaint can be withdrawn at any stage during the complaint management procedures. A complaint should be retracted in writing by the complainant and addressed to the Principal.

### 3. RELATED POLICIES/DOCUMENTS

- Complaints Handling Protocol
- Student Positive Behaviour Policy
- MEL Parent Code of Conduct
- Anti-bullying Policy
- Mercy Education Policy 1.06 Complaints Management
- Mercy Education Policy 1.10 Codes of Conduct
- Mercy Education Code of Conduct (Employees and Volunteers)
- Mercy Education Parent Code of Conduct
- Mercy Education Policy 6.09 Child Safety
- Mercy Education Policy 1.07 Privacy
- Mercy Education Policy 1.09 Whistleblower

### REVIEW HISTORY

Version	Date Released	Next Review	Author	Authorised by:
1.0	May 2023	May 2026	Principal	MLMC Executive