



DISPUTE AND COMPLAINT RESOLUTION PROCEDURE

Sources of Authority	
CECWA Policy	Community
Executive Directive	Dispute and Complaint Resolution

Disputes and Complaints

- *Complaint* means an expression of dissatisfaction with CEWA policies, procedures, decisions, omissions, quality of service, staff or student behaviour. For the purposes of this procedure, a complaint is considered to be any issues or concerns that cannot be resolved in the first instance, either via a phone call, email or meeting
- Where there is an appropriate Executive Directive that provides a specific mechanism for addressing the dispute or complaint, the appropriate procedure must be followed
- Where there is a binding legislative or regulatory mechanism (including an Award or Enterprise Bargaining Agreement (EBA)) that addresses the issue raised in the dispute or complaint, that legislative or regulatory mechanism must be followed
- This Executive Directive is intended to cover disputes and complaints that are not covered in existing legislation, another Executive Directive, Award or EBA

Availability of Information

- Information about the process for dealing with disputes and complaints from parents/guardians regarding a school-based issue must be made readily available

Resolution by the Immediate Parties

- When a dispute or complaint arises, the immediate parties involved should attempt to resolve the issue in the first instance
- Parties may involve a support person(s) to assist them in resolving the dispute or complaint

Resolution by Principal or Line Manager

- Should a complainant be dissatisfied with the resolution as a result of involvement of the immediate parties, or if there are unique circumstances, the matter can be referred to the next level by the complainant, for example, to the Principal or line manager
- It is preferable that complaints are made in writing to the Principal or line manager in the first instance. However, provision must be made for complaints to be made orally. In both situations, a record of the complaint that is as detailed as possible should be made at the earliest opportunity and, wherever possible, the complainant should verify the accuracy of that record
- It is preferable that a complainant identifies him or herself as well as the subject or subjects of the complaint. However, a complainant has the right to make an anonymous complaint, in all cases. The information should be assessed and duly considered



- The Principal or line manager is responsible for the resolution of disputes or complaints within the school referred to them by the immediate parties, in accordance with the rules of procedural fairness
- The Principal or line manager must be mindful of managing the wider effects that a dispute or complaint may have on the workplace beyond its resolution
- The Principal or line manager may request external assistance and expertise (including mediation), including the involvement of the School Improvement Advisor or Catholic Education Western Australia (CEWA) Employment Relations Team to assist in the resolution of a dispute or complaint
- The Principal or line manager must inform the complainant (unless s/he has chosen to remain anonymous) and relevant parties of the outcome of their decision. If a complaint is upheld, the complainant must be provided with redress to remedy the situation; any remedy must be fair, reasonable and appropriate to the nature of the complaint. Remedies that may be offered to complainants include but are not limited to: providing an apology; changing a directive, practice or behaviour; reconsidering a decision; retracting a public statement; providing non-financial assistance; or providing financial compensation for any loss
- The Principal or line manager must maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable this will include any statements made by the parties involved

Resolution by or Escalation of the Complaint to the Executive Director of CEWA

- Where a dispute or complaint is about the Principal or line manager and there is no likelihood that it can be resolved directly with the Principal or line manager, the immediate parties may refer the dispute or complaint to the Executive Director of CEWA. The complaint will be managed by a person (or people) who has no current or previous personal or professional connection that may be considered to be a conflict of interest
- Any party may request a review of the Principal or line manager's decision, in writing, to the Executive Director of CEWA
- The dispute or complaint must be promptly acknowledged in writing unless the complainant is anonymous and cannot be identified
- The Executive Director of CEWA must ensure a formal examination and investigation of the complaint and/or areas of disputation
- The parties to the dispute or complaint must be notified of the finding(s) of the dispute or complaint, including the basis of the finding(s). There is no duty to notify an anonymous complainant
- CEWA must maintain appropriate records of the relevant particulars used to make a decision in response to any formal dispute or complaint. Where applicable these will include any statements made by the parties involved
- An individual has the right to make an appeal to the Minister for Education with regard to a dispute or complaint (School Education Act 1999). An appeal will only be heard on a breach in process and will not be a re-examination of the merits of the case. It should be noted that the Director General of the Department of Education does not have power to intervene in, mediate, resolve or determine the outcome of a complaint made to or about a non-government school. The Non-Government School Regulation Directorate of the Department of Education can be contacted about a complaint or concern but does not have a role in the resolution of complaints. The Directorate monitor compliance with the standards and requirements for non-government schools. Further information is available on the Department of Education [website](#)
- A person may make a complaint to an external body or tribunal at any time. The relevant person (i.e. the Principal, line manager, Executive Director) may choose to suspend addressing the complaint



until the external body or tribunal rules on the complaint, or the external complaint is directed back to CEWA for resolution

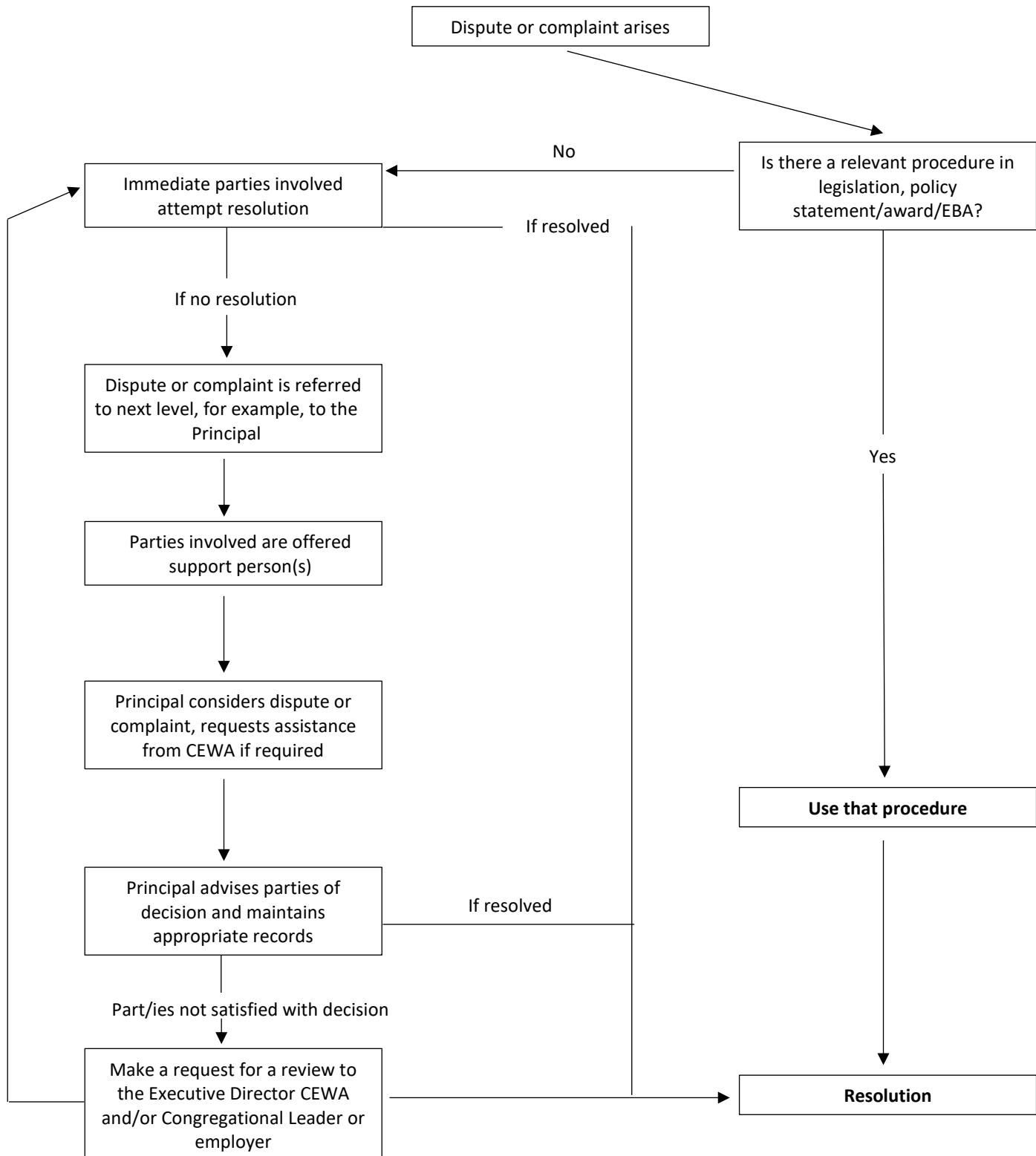
Recording Disputes and Complaints

- All disputes and complaints must be recorded on the College's complaints register, or centrally on any system-wide complaints register
- The complaints register must have the capacity to record the following information:
 - Date of complaint
 - Name of complainant and relationship to the College
 - Subject matter of the complaint, including the name of any person complained about and his or her relationship to the College
 - Complaint investigator and position or role at the College
 - Date investigation completed
 - Whether complaint upheld
 - Resolution agreed with or offered to the complainant
 - Date of referral for review (e.g. by the governing body)
 - Complaint reviewer and relationship to the school
 - Date review finalised
 - Review resolution agreed with or offered to the complainant

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/guardian 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, they do not have the power to intervene in a complaint or override the College's decision

Flowchart for Dealing with Disputes and Complaints





Note: An individual has the right to make an appeal to the Minister for Education with regard to a dispute or complaint (School Education Act 1999). An appeal will only be heard on a breach in process and will not be a re-examination of the merits of the case.

Authorised By:	Principal		
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