

PADUA COLLEGE LIMITED
ACN 072 693 700 ABN 20 072 693 700

Title	Version Number	Date Issued
Procedures for Dealing with Complaints Against Employees	1.0	May 2005
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These procedures complement, and are subsidiary to the College policy on *Complaints Against Employees*. These procedures do not apply when the matter concerns application of the College *Student Protection Policy and Procedures*.

Wherever possible and if appropriate, a complaint against an employee may be dealt with in a pastoral manner and informally. The College *Mediation Policy* may apply in such cases.

Where the Rector or appropriate Senior Leadership Team member believes that there is a need for a complaint to be addressed formally, the teacher or staff member concerned will be advised as soon as possible and involved in the following process.

Step 1

Provided the complaint does not relate to allegations of serious misconduct of sexual, physical or emotional abuse, in the first instance, the parent, student (if appropriate) or staff member who has made the complaint should be requested by the Rector or other senior staff member who receives the complaint, to commit the concern to paper, providing sufficient detail for the employee against whom the complaint has been made, to understand the nature and context of the complaint. If the complainant is not prepared to put the complaint in writing, then the matter may lapse or be dealt with informally.

Step 2

The employee should then be given the option of responding in writing or attending a meeting with the complainant with a view to determining whether, in the light of agreement over the detail of the concern and the appropriateness of the actions of the employee in the context of the incident, resolution can be achieved.

At any time, the complainant may withdraw the allegation and seek reconciliation with the employee.

Step 3

If, following steps 1 and 2 the complainant does not feel the matter to be resolved, and further raises the concern with the Rector or other Senior Leadership Team member (as appropriate), the Rector will either:

- (a) discuss the matter further with the complainant, and where the matter is based on misinformation, misunderstanding or is vexatious or misconceived, clarify the matter with the parent or student.

In this instance, the employee concerned should be informed that the complainant further discussed the matter with the Rector or Senior Leadership Team member (as appropriate), and the outcome of the Rector's discussion with the complainant; or

- (b) discuss the matter further with the complainant, and where the Rector (or other Senior Leadership Team member as appropriate) forms the view that the matter is not vexatious nor misconceived, nor based on misinformation/misunderstanding, will resolve the matter with the staff member concerned according to the Principles outlined in the College's *Complaints Against Employees Policy* .

Matters resolved to the satisfaction of the complainant but not the satisfaction of the staff member.

Where the staff member feels aggrieved at the outcome of the process they may access the grievance procedure as outlined in any applicable Certified Industrial Agreement.

Record Keeping

Records of the complaint, the process for handling the complaint and any outcomes should be kept. Where the complaint is found to be vexatious or based on misinformation, any record pertaining to the complaint or handling of the complaint should be kept in a file separate from the personnel files of employees and marked, *Investigated but found to be vexatious*.

Where a complaint is addressed or acted on, a copy of any reports related to the handling of the complaint will be given to the staff member concerned and kept in the school files. Staff members have access to the files kept on them by the school and these can be accessed on the provision of seven (7) days notice in writing.

Grievances

If an employee believes that the process of handling the complaint and/or the outcome of the complaint have been unfair and/or inappropriate, they have the right to pursue grievance procedures identified in any applicable Certified Industrial Agreement. In such situations, the employee will be granted access to all file notes pertinent to the complaint.