



GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURES

In order to ensure procedural fairness St Joseph's School follows the policies and procedures detailed in CEDWW Handbook regarding complaints and resolving grievances.

St Joseph's School encourages any person or group of people with a complaint to seek the assistance of the Principal. Through the weekly newsletter members of the community are encouraged, should they have a concern, to raise it with the teacher concerned or the principal.

If the issue remains unresolved the person/persons may wish to express their views in writing to the Principal or the Parish Priest.

If the person/persons are not satisfied that the matter has been resolved within the school or has a grievance with the principal, then they may approach the Catholic Education Diocese of Wagga Wagga. The CEDWW personnel dealing with the issue will assume that the above relevant procedure has been followed.

PROCEDURAL FAIRNESS PROCESS

Procedural fairness is a basic right of all when dealing with authorities. Procedural fairness refers to what is sometimes described as the 'hearing rule' and the 'right to an unbiased decision'.

The 'hearing rule' includes the right of the person against whom the allegation has been made to:

- know the allegations related to a specific matter and any other information which will be taken into account in considering the matter
- know the process by which the matter will be considered.
- respond to the allegations
- know how to seek a review of the decision made in response to the allegations.

The 'right to an unbiased decision' includes the right to:

- impartiality in an investigation and decision-making
- an absence of bias by a decision-maker.

Procedural fairness includes making available to students and parents or caregivers the policies and procedures under which disciplinary action is taken. It also includes providing details of an allegation relating to a specific matter or incident. This will usually involve providing details of the allegations made in witness statements and

consideration of witness protection. As part of ensuring the right to be heard schools should establish any need for parents/caregivers to be provided with interpreter services and, if required, make arrangements for such services to be available.

Whilst it is generally preferable that different people carry out the investigation and decision-making, in the school setting this may not always be possible. If the principal is conducting both the investigation and decision-making stages, he or she must be reasonable and objective. To be procedurally fair, the principal must act justly and be seen to act justly. Whilst it is difficult to combine the roles of investigator and adjudicator, it is acceptable to do so given the nature of a principal's responsibilities. Nevertheless, it may be preferable to have another appropriate officer, such as an assistant principal or independent person, carry out the investigation where possible. The review mechanism adds to the fairness of the process.

In matters where long suspension, expulsion or exclusion is contemplated, the gravity of the circumstances requires particular emphasis to be given to procedural fairness. This includes the offer of having a support person/observer attend formal interviews. The key points of the interview/discussion should be recorded in writing.

(Taken from Registration Systems and Member Non-Government Schools (NSW) Manual, p.51).

Reviewed 2018