



URSULA FRAYNE CATHOLIC COLLEGE

Dispute and Complaint Resolution Policy

Balmoral Campus (Years K – 6)
66 Balmoral Street, East Victoria Park, WA 6101
Phone: 08 9470 0400

Duncan Campus (Years 7 – 12)
15 Duncan Street, Victoria Park, WA 6100
Phone: 08 9470 0900

Email: admin@ufcc.wa.edu.au | Web: www.ufcc.wa.edu.au



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DISPUTE AND COMPLAINT RESOLUTION POLICY

REVIEWED: 2020

DATE FOR REVIEW: 2024

RATIONALE

The School Education Act (174 I (d)) requires an educational system to have a means by which disputes and complaints about the provision of education are resolved.

The Catholic school, as part of the Body of Christ (1 Cor 12), is required to work harmoniously to build community. The distinctive nature of the Catholic school is guaranteed by all members of the community respecting the rights and responsibilities of each other (CS 73).

PRINCIPLES

1. Natural justice must be exercised in resolving any dispute or complaint. This requires that both parties receive a fair hearing and that the final decision is made without bias.
2. The resolution to a dispute or complaint must exhaust all reasonable attempts at conciliation prior to an imposed arbitrated result occurring.
3. Individual cases must be examined on their own merits.
4. Resolution must appropriately balance the principles of justice with compassion.
5. Appropriate confidentiality must be respected by all parties.
6. Decision making shall be guided by the principles of participation, co-responsibility and subsidiarity (CS. 70).
7. The Principal of the School has the responsibility to attempt to resolve a dispute or complaint with the parties directly involved at the local level in the first instance.
8. Parties may request the Director of Catholic Education to assist to resolve a dispute or complaint prior to the Principal making a decision.
9. Parties may appeal the decision made by the Principal to the Director of Catholic Education.
10. Parties have the right to appeal to the Minister of Education in accordance with the School Education Act (1999).

PROCEDURES

1. At the time of enrolment/appointment, parents and staff shall be provided information on the process of dealing with a dispute or complaint in a Catholic School.
2. The Catholic Education Commission of Western Australia (CEWA) has policies/procedures that address specific matters, which shall be followed (for example):
 - Harassment of Staff in Schools
 - Dealing with Bullying and Harassment
 - Termination of Staff Members – In competency or Misconduct
 - Child Abuse

- Student Enrolment
 - Exclusion of Students for Disciplinary Reasons
 - Selection of Appropriate Texts in Catholic Schools
3. If the dispute involves an employment issue, the prescribed process in the relevant Enterprise Bargaining Agreement or Award shall be followed.
 4. Each dispute or complaint resolution procedure followed by the School shall ensure that all relevant parties:
 - Are informed of the dispute or complaint
 - Have the opportunity to place their version on record
 - Have the opportunity to be represented if they so wish
 5. The resolution of a dispute or complaint, in the first instance, should be undertaken between the immediate parties involved. Only after attempts at this level are exhausted should the matter be referred to the next level.
 6. Should the immediate parties involved fail to reach a resolution, then the Principal is responsible for undertaking a procedure to resolve any dispute or complaint within the school. Where a dispute or complaint involves the Principal, the matter may be referred directly to the Director of Catholic Education.
 7. The Principal shall maintain records of the procedure and resolution to any formal dispute or complaint. These will include any statements made by the parties involved.
 8. Records of any dispute or complaint shall be maintained in accordance with the CEWA policy Management of Confidential Information in Schools.
 9. It is the responsibility of the Principal to attempt to reach a resolution between the parties where possible.
 10. Failing to reach a resolution by agreement, the Principal shall make a decision. When this occurs, the Principal shall inform each party of the decision.
 11. The Principal may call on outside mediation, including the Employee and Community Relations Team of the Catholic Education Office of Western Australia (CEWA) to assist in the resolution of a dispute or complaint.
 12. Any party may seek the assistance of the Director of Catholic Education to resolve a dispute or complaint.
 13. International students may access the Overseas Students Ombudsman, which offers a free and independent service, to resolve disputes between international students and institutions, as part of the institution's internal complaints and appeals procedure.
 14. Any party may appeal the Principal's decision, in writing, to the Director of Catholic Education.
 15. The Director of Catholic Education shall then appoint an Investigating Officer. The parties to the dispute or complaint shall be notified of the findings of the appeal.

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EAST VICTORIA PARK WA 6101
P: +61 8 9470 0400

DUNCAN CAMPUS (YRS 7 – 12)
15 DUNCAN STREET
VICTORIA PARK WA 6100
P: +61 8 9470 0900

E: admin@ufcc.wa.edu.au

W: www.ufcc.wa.edu.au

CRICOS Provider Code: 00765K | ABN: 99 024 601 686