

CATHOLIC DIOCESE OF BROKEN BAY

CONFRATERNITY OF CHRISTIAN DOCTRINE (CCD)

COMPLAINTS POLICY



CATHOLIC
DIOCESE OF
BROKEN BAY

CONTENT

This document contains the Catholic Diocese of Broken Bay (**the Diocese**) Confraternity of Christian Doctrine (**CCD**) Complaints Policy and a description of general procedures that are followed when a complaint is received. It refers to the way that the Diocese will resolve complaints made in relation to Special Religious Education (**SRE**). This Policy should be read in conjunction with the Diocesan Complaint Handling Policy and the Department of Education's (**DoE**) Complaints Handling Policy.

APPLICATION & SCOPE

This Policy applies to clergy, employees, contractors, volunteers including SRE teachers (**Workers**) of the Diocese including those working in its Parishes. Where an Agency within the Diocese (such as Catholic Schools Broken Bay (**CSBB**) or CatholicCare has its own policy, the relevant Agency policy will apply to Agency workers.

This Policy does **not** apply to priests of other Dioceses or from Religious Orders who do not have an appointment with the Diocese or who are not incardinated in the Diocese. In these circumstances, the relevant Bishop or Provincial will respond to complaints relating to these individuals and the Diocese will comply with mandatory reporting requirements.

PURPOSE AND INTENT

The purpose of this Policy is to convey the process for the timely handling of complaints received specifically in relation to the provision of SRE in public-schools. The key objectives of this Policy are to:

- Ensure complaints are taken seriously and responses to complaints are prompt and thorough.
- Ensure that reporting is compliant with civil and canon law.
- Provide an effective Complaints Policy which clearly outlines the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements.
- Provide a child-focussed complaint handling system where complaints involving children prioritise child safety and children's rights.
- Ensure mechanisms are in place to monitor and support respondents facing allegations.

1. STANDARDS OF BEHAVIOUR

As the Approved Provider of SRE, the Diocese requires SRE teachers **authorised by the Diocese to display high levels of professionalism in the complaint or conflict resolution process**. This includes both the manner in which SRE teachers speak to and about a DoE school (public-school), and how SRE teachers represent themselves and the Diocese. SRE teachers are expected to comply with Diocesan Policy including but not limited to Code of Conduct Policy.

2. DIOCESAN COMMITMENT

The Diocese is committed to open communication, ownership and transparency during the complaint or conflict resolution process. SRE teachers are required to listen to the perspective of the public-school stakeholders, assume good intent

on the part of any complainant or person providing feedback, and attempt to resolve issues at a local level in the first instance.

3. CHILD PROTECTION COMPLAINTS

Any complaint that falls within the Child Protection category must be reported to the public-school Principal and to the CCD Diocesan Coordinator.

The NSW Department of Education (DoE) and the public-school Principal share with the Diocese the jurisdiction in respect of complaints that are categorised as a Child Protection complaint. The CCD Diocesan Coordinator ensures adherence to both the DoE and Diocesan Complaint Handling Policy.

The Diocese handles complaints in accordance with its Complaint Handling Framework and uses categories of complaints with a separate Protocol for each category of complaint that contains the process for managing the complaint. Level 1 Complaints involve alleged conduct by a Worker towards a child that is possible criminal conduct, or Reportable Conduct or Reportable Incident or conduct that would fall within the definition of Reportable Conduct or Reporting Incident but for the Respondent not being an employee of the Diocese, or alleged inappropriate behaviour of a Worker towards a child.

4. CONFIDENTIALITY

Personal information provided in the process of making a complaint is collected and used in accordance with the Diocese's Privacy Policy.

Complaints may be made anonymously; however anonymous complaints are discouraged. This is because of the inherent difficulty in investigating anonymous complaints, especially where further information might be required from the complainant.

5. RIGHTS OF INDIVIDUAL WHO IS THE SUBJECT OF COMPLAINT

An individual who is the subject of a complaint has the right to know the particulars of the complaint, options to respond to the complaint, possible outcomes of the complaint handling process and how to appeal a decision.

6. RIGHT OF APPEAL

SRE teachers who are the subject of a Child Protection complaint and wish to appeal the outcome will follow the DoE's Performance and Ethical Standards (PES) Unit and/or the Diocese's procedures.

For all other complaints, respondents (those who are the subject of a complaint) have the right to appeal the outcome determined by the Diocese. The appeal is to be received in writing (email will suffice) by the Diocese.

The appeal will be reviewed by an appropriate person in the Diocese who is not the original decision maker and who has not been involved in the original complaint handling process.

The appeal will involve the review of the complaints procedure, including the outcome.

The appeal will be concluded in a timely manner, usually within 20 working days. The outcome will be communicated to the respondent in writing.

7. ONGOING RESPONSIBILITIES

The Diocese will:

- Take reasonable steps to prevent complainants being treated unfairly because a complaint has been made by them or on their behalf.
- Ensure that the complaints process is accessible to SRE stakeholders.

- Where possible maintain confidentiality about a complaint, including after the complaint handling process has concluded. This requires everyone involved in the complaint handling process, including the complainant, to ensure that information is restricted to those who reasonably need to know. It may be necessary for the Diocese to disclose information about the complaint while undertaking an investigation or where required by law.
- Take necessary action to ensure risks have been mitigated and necessary reporting obligations have been fulfilled.
- To the extent possible, , ensure processes are compliant with relevant legislation and Departmental and Diocesan policies, including but not limited to supporting the complainant or children involved, ensuring procedural fairness has been provided to the respondent, and provided all parties involved with appropriate information pertaining to the complaint process, decisions, and outcome,

8. CATEGORIES OF COMPLAINTS

1. Child Protection

Child Protection complaints are the joint responsibility of the public-school Principal and the DoE's PES unit and the CCD and Safeguarding Office in the Diocese. The Diocese will cooperate fully with any concerns a public-school may have regarding possible criminal conduct, Reportable Conduct, Reportable Incident or conduct that would fall within the definition of Reportable Conduct or a Reportable Incident but for the Respondent not being an employee of the Diocese or alleged inappropriate behaviour of a Worker towards a child.

It is expected that the DoE and the Diocese's Safeguarding Office (Chancery & Parishes) will follow its procedures regarding any such matter, including reporting a complaint to relevant authorities. The Diocese also has a responsibility to manage risk identified as a result of the complaint by taking appropriate action to mitigate the risk.

2. Conduct of SRE Teacher (other than Child Protection)

The Diocese will cooperate with any concerns a parent, student, public-school or other SRE teachers or SRE teacher from another Approved Provider of SRE may have about the conduct of an SRE teacher from the Diocese in the classroom in relation to classroom or behaviour management, teaching strategies, incorrect use of the authorised curriculum material or the inability of the SRE teacher to teach the authorised curriculum with sensitivity or in an age-appropriate manner. The Diocese will follow its procedures regarding any such matter including appropriate action to mitigate risk.

3. Conduct of Student, Parent, Professional Classroom Teacher, SRE Teachers from the Diocese or an SRE Teacher from Another Approved Provider of SRE

The Diocese requires a public-school to cooperate and follow the DoE's Complaints Handling Policy and School Complaint Procedure in relation to any concerns the Diocese or one of its SRE teachers may have regarding the conduct of a student, a parent, a professional classroom teacher or an SRE teacher from the Diocese or an SRE teacher from another Approved Provider of SRE, including reporting to relevant authorities. The Diocese will cooperate fully with the public school in its investigation of the complaint.

4. Complaint About the Implementation of SRE

The Diocese requires a public-school to fully cooperate and follow the Diocese's Complaint Handling Framework in relation to any concerns the Diocese or one of its SRE teachers may have regarding the implementation of SRE at a public-school. The Diocese will cooperate fully with the public-school in its investigation of the complaint.

9. CCD SRE COMPLAINTS MANAGEMENT PROCEDURES TIME FRAME

The Diocese is committed to ensuring that complaints are addressed in a timely and confidential manner and at an appropriate level. This is to prevent minor problems or concerns from unnecessarily escalating. In so far as it allows adequate inquiries or an investigation to take place, confidentiality will be maintained during and after the complaint management process.

The following are the procedures to be followed in the event of a complaint being received. The Diocese reserves the right to vary or modify the procedure at its absolute discretion and according to the seriousness and/or circumstances of the complaint.

1. Level 1 Complaints as defined in the Diocesan Complaint Handling Policy (Child Protection)

The Worker who receives the complaint will refer to the Diocese Complaint Handling Framework and follow the relevant Protocol relative to the specific category of complaint:

- Receive and acknowledge the complaint (as soon as possible within 1 working day).
- Notify Director, Mission Broken Bay.
- Notify Manager for Safeguarding, Safeguarding Office (Chancery & Parishes).
- Notify public-school Principal (unless the complaint came via the Principal).
- Notify SRE teacher, Parish Priest, and Parish CCD Coordinator.
- Remove SRE teacher from teaching whilst complaint is investigated.
- Gather Information.
- Meet with public-school Principal.
- Meet with SRE teacher (subject of allegation), Parish Priest and Parish CCD Coordinator.
- Gather any relevant information pertinent to the complaint.
- Refer information to public-school Principal or DoE PES Unit if necessary.
- Refer to SRE teacher's training record.
- Consider risk.
- Assess and Investigate Risk
- Assess risk around SRE teacher.
- Assess any systemic issues or concerns that have emerged (e.g., from the SRE teacher's training record)
- Determine Outcome and Action
- Outcomes and actions will be determined considering the seriousness of the complaint and the risks involved.
- Take advice from the public-school Principal, if necessary.
- Liaise with the DoE PES Unit and take advice from the Diocese's Safeguarding Office.
- Consider risk management action.
- Consider necessary action to address systemic issues or concerns that have emerged.
- Consider SRE teacher's suitability as an SRE volunteer.
- Consult Diocesan Stewardship Office, Manager Human Resources.
- Determine actions.

- Determine implementation of actions. Notifications and Implementation of Action
- Notify SRE teacher, Parish Priest, and Parish CCD Coordinator of the outcome of the DoE's and/or Diocesan investigation.
- Notify SRE teacher, Parish Priest, Parish CCD Coordinator and public-school Principal of the outcome of the Diocese's risk assessment.
- Notify complainant of outcome.
- Implement actions.
- Monitor outcomes of complaint and actions taken.
- Record Course of Action and Outcome.
- Maintain records.
- CCD Coordinator – complete and sign the CCD Child Protection - Review of Information Form.
- Director, Mission Broken Bay – approve course of action and sign the CCD Child Protection - Review of Information Form.
- CCD Coordinator – provide the CCD Child Protection - Review of Information Form and relevant documents to Manager for Safeguarding (Chancery).
- Manager for Safeguarding (Chancery & Parishes) – updates records as required within the Diocesan Child Protection database and relevant filing system.

2. Performance and Conduct of SRE Teacher (Other than Child Protection) including authorisation, classroom management, pedagogy and lesson content complaints

The CCD Diocesan Coordinator will:

- Receive and Acknowledge Complaint
- Receive and acknowledge the complaint (as soon as possible within 1 working day).
- Notify the SRE teacher (subject of complaint) Parish Priest and Parish CCD Coordinator.
- Remove SRE teacher from teaching until complaint is resolved, if necessary.
- Gather Information.
- Meet with the public-school Principal or SRE School Coordinator.
- Meet with the SRE teacher (subject of complaint), the Parish Priest and the Parish CCD Coordinator.
- Gather any relevant information.
- Refer to DoE's SRE Policy and Procedures and Code of Conduct, if necessary.
- Refer to the Diocese's Code of Conduct, if necessary.
- Refer to the Diocese's CCD Authorised Curriculum documents, if necessary.
- Refer to the Diocese's CCD Training documents, if necessary.
- Refer to the Diocese's CCD Authorisation Procedure including SRE teacher's authorisation card.
- Assess and Investigate Complaint
- Assess information gathered.

- Assess risk.
- Consider any systemic issues or concerns that have emerged.
- Assess SRE teacher's suitability as an SRE volunteer.
- Consult Diocesan Human Resources Manager
- Determine action. Determine Outcome and Action
- Outcomes and actions will be determined considering the seriousness of the complaint and the risks involved.
- Take advice from the public-school Principal, if relevant.
- Determine risk management action.
- Determine SRE teacher suitability as an SRE volunteer.
- Determine actions.
- Determine implementation of actions. Notifications and Implementation of Action
- Notify SRE teacher, Parish Priest, Parish CCD Coordinator and, if necessary, public-school Principal of outcome.
- Notify complainant of outcome.
- Implement actions.
- Monitor outcome of complaint and actions taken.
- Record Course of Action and Outcome
- Complete the CCD Approved Provider of SRE Complaint Form.
- Document complaint, assessment, interviews, phone calls, emails, and discussions.
- Store records on EBB filing system.

3. Conduct of Student, Parent, Professional Classroom Teacher or an SRE Teacher from another Approved Provider of SRE (i.e., when Diocese's SRE teacher is complainant)

The CCD Diocesan Coordinator will:

- Receive and Acknowledge Complaint
- Receive and acknowledge the complaint (as soon as possible within 1 working day).
- Notify the Parish Priest and Parish CCD Coordinator, for their information.
- Refer the complaint to the public-school Principal for management. Gather Information
- Meet with the complainant and gather information.
- Meet with public-school Principal and cooperate by providing relevant information.
- Maintain records.
- Provide information including reasons for decision.
- Take advice from the public-school Principal regarding outcome of complaint investigation.
- Notify Parish Priest and Parish CCD Coordinator of outcome of DoE investigation.
- Notify complainant of outcome of DoE investigation. Implement Actions

- Implement actions that the public-school Principal may recommend (if any). Record Course of Action and Outcomes
- Complete the CCD Approved Provider of SRE Complaint Form.
- Document complaint, interviews, phone calls, discussions and advice received from public-school Principal.
- Store records on EBB filing system.

4. **Complaint About the Implementation of SRE**

The CCD Diocesan Coordinator will:

- Receive and Acknowledge Complaint.
- Receive and acknowledge the complaint (as soon as possible within 1 working day).
- Notify the Parish Priest and Parish CCD Coordinator, for their information and action if necessary.
- Refer the complaint to the public-school Principal or SRE Coordinator and support the Parish Coordinator to work with them to resolve complaint.
- Gather Information
- Meet with the Parish CCD Coordinator and complainant and gather information.
- Support the Parish CCD Coordinator and if necessary, meet with public-school Principal or SRE Coordinator.
- Cooperate with the public-school to reach a satisfactory outcome for all stakeholders referring to the *Education Act 1990 (NSW)* and the DoE's SRE Policy and Procedures, as necessary.
- Review relevant documents, policies, and procedures dependent on the nature of the complaint
- Provide information including reasons for decision
- Notify Parish Priest and Parish CCD Coordinator of outcome of the public school, DoE and/or CCD investigation.
- Notify complainant of outcome of investigation. Implement Actions
- Implement any actions, as necessary.
- Record Course of Action and Outcomes.
- Complete the CCD Approved Provider of SRE Complaint Form.
- Document complaint, interviews, phone calls, discussions.
- Store records on EBB filing system.

REFERENCES

Department of Education Religious Education Policy
Department of Education Special Religious Education Procedures
Department of Education Code of Conduct
Department of Education Complaints Handling Policy
Department of Education School Complaint Procedure Child Protection (Working with Children) Act 2012 (NSW)
Children's Guardian Act 2019 (NSW)
Education Act, 1990 (NSW)
Privacy Act 1988
DBB CCD Authorisation Procedure
DBB CCD Authorised SRE Curriculum

RELATED FORMS/DOCUMENTS

CCD Child Protection Matter – Review of Information Form
CCD Managing Child Protection Matters Process Flowchart CCD Approved Provider of SRE Complaint Form

RELATED POLICIES

Complaint Handling Policy
Code of Conduct
Privacy Policy
Risk Management Policy

RELATED PROTOCOLS

Level 1 Complaint Handling Protocol
Level 2 Complaint Handling Protocol
Level 3 Complaint Handling Protocol
Level 4 Complaint Handling Protocol
Managing Unreasonable Complainant Conduct Protocol

POLICY REVIEW

Review of this policy, related forms and resources will be undertaken every three years by the CCD Diocesan Coordinator in consultation with the Director, Mission Broken Bay and the Manager for Safeguarding, Safeguarding Office (Chancery & Parishes) and the approval of the Diocesan Financial Administrator.

REVISION/ MODIFICATION HISTORY

Date	Version	Current Title	Summary of Changes	Approval Date	Commencement Date
30/10/18	1.	CCD Complaints Policy	New	Oct 2018	Oct 2018
08/11/23	2.	CCD Complaints Policy	Updated to reflect Complaint Handling Policy wording	Nov 2023	Nov 2023

APPROVAL DATE/REVISION SCHEDULE

Approved by: Emma McDonald, Diocesan Financial Administrator

Date: 8 November 2023

To be Revised: 8 November 2026