



COMPLAINT & DISPUTE RESOLUTION PROCEDURE

CDR-001

Document Title	Complaint & Dispute Resolution Procedure
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Effective date	27 July 2026
Purpose	The purpose of this Procedure is to provide support to the Complaints Handling Policy and to ensure that student, parent/guardian and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.
Scope	Students, parents/guardians and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.
Authorised by	St Patrick's College Townsville Limited (Governing Body) Date of Authorisation: October 2019
References	Education (Accreditation of Non-State Schools) Regulation 2017 (Queensland); Australian Education Regulations 2023 (Commonwealth); Fair Work Act 2009 (Commonwealth); Work Health and Safety Act 2011 (Queensland); Privacy Act 1988 (Commonwealth); Anti-Discrimination Act 1991 (Queensland) (as amended by the Respect at Work and Other Matters Amendment Act 2024 (Queensland)); Australian Human Rights Commission Act 1986 (Commonwealth); Sex Discrimination Act 1984 (Commonwealth); Age Discrimination Act 2004 (Commonwealth); Disability Discrimination Act 1992 (Commonwealth); Racial Discrimination Act 1975 (Commonwealth); Child Safe Organisations Act 2024 (Queensland); Child Safe Organisations Regulation 2025 (Queensland); Child Protection Act 1999 (Queensland); Education (General Provisions) Act 2006 (Queensland); Catholic Employing Authorities Single Enterprise Collective Agreement – Religious Institute Schools of Queensland 2023–2026; Complaints Handling Policy; Child Safety and Wellbeing Policy (CP-006); Reportable Conduct Procedure (CP-001); Reportable Conduct Scheme Governance and Delegation Statement (CP-007); Sexual Harassment Policy; Work Health and Safety Policy; Workplace Bullying Policy; Privacy Policy.
Review date	Every three years or as necessitated by law Review due: 27 July 2029
Policy owner	St Patrick's College Townsville Limited (Governing Body)





Issues outside this Procedure

Before starting Step 1, check whether the matter falls outside this Procedure. The following matters are not dealt with under this Procedure:

- Allegations of reportable conduct by a worker, meaning conduct that meets any of the six categories defined at section 26(1) of the Child Safe Organisations Act 2024 (Queensland). These matters are dealt with under the Reportable Conduct Procedure (CP-001). Where the allegation concerns the Principal, you may report directly to the Queensland Family and Child Commission under section 33(2)(b) of that Act. The alternate arrangements are set out in CP-007.
- Child protection concerns, including allegations of sexual abuse, likely sexual abuse, or any harm to a child. These are dealt with under the Student Protection Procedure (CP-004) and the Child Safety and Wellbeing Policy (CP-006).
- Sexual harassment complaints. These are dealt with under the Sexual Harassment Policy. Where the conduct also meets the reportable conduct threshold, the matter is managed under CP-001 and the Sexual Harassment Policy concurrently.
- Workplace bullying complaints. These are dealt with under the Workplace Bullying Policy.
- Student bullying complaints. These are dealt with under the Respectful Relationships, Anti-Bullying, Harassment and Discrimination Policy.
- Student discipline matters, including matters involving suspension or expulsion. These are dealt with under the Enrolment Agreement, Student Code of Conduct and the Respectful Relationships, Anti-Bullying, Harassment and Discrimination Policy.
- Student or employee violence or criminal matters. The Principal directs these to the Police as appropriate.
- Privacy complaints, which are dealt with under the Privacy Policy and (where unresolved internally) carry an external right of complaint to the Office of the Australian Information Commissioner under the Privacy Act 1988 (Commonwealth).
- Disputes between Board Members. These are dealt with under the Board Constitution.
- Formal legal proceedings, which are managed as appropriate in the circumstances.
- Complaints relating to the education and training services provided by the College to an overseas student. These are dealt with under the Education Services for Overseas Students Act 2000 (Commonwealth), the National Code, and the College's Overseas Student Complaints and Appeals Policy and Process.

Where the matter does fall outside this Procedure, refer it to the relevant procedure or policy. Do not begin informal resolution under Step 1.

STEP 1 - PARTIES ATTEMPT TO RESOLVE THE DISPUTE OR COMPLAINT INFORMALLY THROUGH DISCUSSION AND NEGOTIATION

This Step does not apply to matters on the Issues Outside list above. Where the complaint involves an allegation of reportable conduct, harm to a child, sexual abuse, sexual harassment, or any other matter on that list, refer the matter immediately to the relevant procedure. Do not invite the complainant to approach the alleged respondent.

Ideally, a parent/guardian, student or staff member wishing to make a complaint is encouraged to approach the staff member concerned and attempt to resolve the issue through dialogue using an open, non-defensive and objective process. The approach may be made either in person or by phone.

Where the parent/guardian, student or staff member feels uncomfortable with the face-to-face approach, the option exists to commit the complaint to the staff member concerned in signed-and-dated form.

Where a parent/guardian, student or staff member feels uncomfortable directly approaching the staff member, they are encouraged to seek advice from any member of the College Leadership Team.

To give the process the greatest chance of success, the parties should:





- adopt an open, non-defensive and unbiased communication process;
- focus on the issue or complaint and not the personalities;
- have a clear idea of what the issues are and the grounds on which the complaint was made;
- work cooperatively to determine how best to resolve the issue;
- look for constructive solutions.

STEP 2 - FACILITATED RESOLUTION PROCESS

Another option for resolution is a facilitated process. The parties must each be comfortable with the facilitator (internal or external) as suggested by the College.

The facilitator may be one of the following people:

- Head of Faculty or Head of Department, or the Deputy Principal - Academic, for a curriculum or academic issue;
- Head of House, Head of Year, or the Deputy Principal - Students, for a pastoral issue;
- Deputy Principal
- one of the College Psychologists
- the Dean of Boarding, for a boarding issue;
- the Principal, if the complaint is against a Deputy Principal or other senior staff member;
- the Chair of the Board, if the complaint is against the Principal (subject to the Issues Outside list above, which routes Principal-related reportable allegations directly to the Queensland Family and Child Commission).

The facilitator is responsible for:

- consulting with the College Leadership Team;
- informing the staff member that a complaint has been referred to them;
- detailing the mediation and negotiation options;
- facilitating resolution of the issue through an open and transparent process of dialogue, mediation and negotiation;
- preparing a written record of the issue, its resolution and actions taken.

A written record will be provided to both parties and to the Principal. If a staff member is involved, the record will be placed in the confidential employee file. Both parties will be asked to support an outcome and sign what was agreed. The matter will be monitored at set intervals.

STEP 3 - FORMAL DISPUTE OR COMPLAINT PROCEDURE

A complainant may decide to follow the formal process at any time. Informal procedures do not have to be attempted first.

- The complainant is required to make the complaint in writing to the Principal of the College.
- The complainant should particularise the complaint so that it is clear and detailed as to what the allegations are.
- The complaint is to include time, circumstances and what the complainant heard, saw or experienced:
 - what was the reaction?
 - who was involved?
 - whether there were any witnesses;
 - any other relevant information.
- The Principal, on consultation, will decide who will manage the investigation. The person against whom the complaint has been made must be informed promptly by the Principal:
 - that there will be an investigation;
 - that it will follow the Complaints Handling Policy;
 - who the manager or investigator will be;
 - the general nature of the complaint or dispute, and that full particulars of the complaint will be provided through the manager or investigator as soon as possible.





Where the matter is also a reportable allegation under section 26(1) of the Child Safe Organisations Act 2024 (Queensland), the Principal refers the matter to CP-001 Reportable Conduct Procedure at this point. The remaining steps in this Procedure do not apply to a matter being handled under CP-001. Where the matter has a complaints aspect that is not reportable conduct, the complaints aspect continues under this Procedure in parallel.

For a matter that is also a reportable allegation, the Principal as Head of Entity will notify the Queensland Family and Child Commission within 3 business days of becoming aware, provide an interim report within 30 business days, and provide a final report on conclusion of the investigation under section 37 of the Act. These statutory timeframes run alongside any complaints process under this Procedure.

- Either party may request the presence of a support person and should be encouraged to have one.

For a matter that is also a reportable allegation, the College arranges structured support that is separate from the investigator. This includes employee assistance support for the worker, and pastoral or family liaison support for the affected child and family. These arrangements are detailed in CP-001.

- The investigator will make a written report to the Principal of findings (substantiated or not substantiated, on the balance of probabilities, with the Briginshaw principle applied to graver allegations. For a matter that is also a reportable allegation, the four statutory findings apply: substantiated, unsubstantiated, no outcome, or conduct outside the scheme. The investigation in that case is managed under CP-001) on the evidence from the parties and witnesses.
- Consequences for complaint allegations which are substantiated (on the evidence) will be put in place by the Principal.
- If an investigation process is decided:
 - an external investigator may be engaged as the manager;
 - the investigator may arrange a convenient and appropriate time and place to interview the parties to the complaint or dispute;
 - all parties interviewed will be asked to sign a Confidentiality Protocol for Parties;
 - all statements taken will be cited as a true record of information given.

The Principal will inform both complainant and respondent of the management plan decided to address the complaint. All procedures will be undertaken with discretion and confidentiality to protect the reputation of the person being investigated.

- The investigator may privately interview the complainant in person and during the interview (or, if it is decided that an interview is not required, at another time) advise the complainant:
 - explain the process of investigation, including the desirability of having a support person;
 - ensure confidentiality. The investigator will confidentially receive information and ask the complainant to also maintain confidentiality;
 - obtain particularised allegations, information and written documentation in support of the allegations, to be provided to the respondent;
 - ask the complainant what they would like to have happen as a result of the investigation;
 - keep a detailed record of all information and statements made by the complainant.
- The investigator may privately interview the respondent and inform the respondent:
 - of the general nature of the allegations;
 - that particularised allegations will be provided for written response as soon as they are available;
 - of the respondent's right to have a support person of their choice present;
 - of the nature of the process of the investigation and meeting.

Alternatively, these matters may be addressed with the respondent by the investigator in writing.

- The Principal will conduct a documented risk assessment to determine whether the attendance of the respondent presents an unacceptable risk to the wellbeing of students, staff or any other person. If the assessment finds that risk, the respondent (if a staff member) may be stood down on full pay for the duration





of the investigation. For a matter that is also a reportable allegation, the risk assessment is conducted under CP-001.

- The investigator will:
 - put the allegations to the respondent;
 - invite the respondent to respond then and there if they wish;
 - allow the respondent time to respond to the allegations in writing;
 - record all responses in detail.
- Both parties are encouraged to have support persons of their choice at all stages of the proceedings.
- The investigator may interview all relevant witnesses who are nominated, or may seek written responses from relevant witnesses.
- The investigator will provide a report of the investigation to the Principal, including findings on whether the allegations in the complaint are substantiated and, if requested, recommendations.
- The report is privileged to the Principal and Board.
- The Principal will, at their discretion, decide on the most appropriate outcomes.
- The Principal, in writing, will inform the complainant and the respondent of the decision regarding the outcomes.
- The Principal will put in place any outcomes resulting from the decision. These may include disciplinary outcomes for staff and students.

CONFIDENTIALITY

The College is committed to the confidentiality of all complaints, at all steps in the process of their resolution.

Only the College and persons directly involved in a complaint will have access to information which is the subject of the complaint. Parties involved are expected to discuss the matter only with their support persons, professional advisors or the other parties involved.

Complainants and respondents have a duty to uphold strict confidentiality during the complaint or dispute procedure for the safety and consideration of others that may be involved. Complainants and respondents must not publicise the complaint or the progress of its resolution.

There may be situations where it is not possible to uphold a person's right to confidentiality. For example, a person's health and safety may be at risk, or the complaint may involve criminal activity including breaches of child protection laws. If criminal activity is involved, the information will be passed on to the Police.

Insurer notification

Where the complaint may give rise to a claim or notification obligation under the College's insurance arrangements, the Principal will notify the College's insurer at the appropriate point in the process. The Principal initiates the notification.

OTHER INFORMATION

The Procedure will:

- encourage resolution of problems by informal means wherever possible (subject to the Issues Outside list);
- be easily accessible and publicised;
- be impartial;
- allow swift handling, with established timelines for action and keeping people informed of progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's right to confidentiality;
- address all the points at issue and provide an effective response and appropriate redress;
- treat all complaints and disputes with sensitivity and respect;
- provide information to the College Leadership Team so that services can be improved;
- ensure that no person is victimised as a result of raising a complaint;
- apply appropriate consequences for substantiated complaints.

See Annexures A and B.





POSSIBLE OUTCOMES

Joint agreement

The parties may agree to seek resolution through meetings or mediation. The terms of the agreement may be reduced to writing and signed by the parties. The agreement may include a term that its contents remain confidential.

Disciplinary action

Disciplinary action may be taken against a person or persons if:

- they have breached one of the College's policies or standards;
- they have otherwise engaged in substantiated inappropriate conduct.

The nature of the disciplinary action will depend on the circumstances. The following may be taken into account in deciding what disciplinary action is appropriate:

- the seriousness of the circumstances;
- whether the person knew what they were doing;
- whether the person has been officially warned or disciplined before about the same type of conduct;
- whether there are any circumstances that mean the person should not be disciplined at all or not disciplined seriously.

Discipline could involve one or more of the following, in addition to any penalties which may apply at law:

- written apology;
- compulsory counselling;
- attendance at further training;
- an official warning or caution;
- demotion;
- dismissal;
- suspension;
- exclusion (for students).

Vexatious complaints

Efforts will be made to remedy the injustice. Disciplinary outcomes will apply to anyone who brings a complaint which is considered vexatious or without any basis.

College-initiated investigation

There may be a time when a complainant does not want, for a variety of reasons, to continue with any process of investigation or to bring a complaint at all. There may also be the circumstance where concerns brought to the notice of the Principal are assessed as College issues. If the issues raised are such that the health and wellbeing of staff or students is being adversely affected, the College reserves the right to initiate an investigation regardless of the wants of the complainant or other parties.

Review

This Procedure will be reviewed every three years or as necessitated by legislation. The next review will align with the review cycle of the Complaints Handling Policy so that the Policy and Procedure remain in step.





ANNEXURE A - CHECKLIST

- If, after initial enquiries, the complaint is found to be vexatious, the matter will be referred to the Principal for action.
- Each party agrees to maintain confidentiality and discretion during the resolution process to avoid unnecessary escalation of the issue or embarrassment to any party. The complaint is to be discussed only with the people involved. Failure to do so jeopardises positive resolution of the complaint and may have adverse effects on the College environment and the integrity of the College.
- If a letter of complaint is received by any member of the College Leadership Team, they will encourage the complainant to go through Step 1 and Step 2 first if that is appropriate in the circumstances.
- If it is found that any party has experienced victimisation as a result of a complaint being made, this could lead to disciplinary action against the responsible person.
- Every attempt should be made by a staff member against whom a complaint is made to resolve a concern as soon as possible, including apologising where necessary.

ANNEXURE B - SUPPORT PERSONS

Support persons may include but are not limited to the following:

- Student complainant: students will inevitably be supported by their parents/guardians, including the Dean of Boarding, and are also encouraged to consider one of the College Psychologists.
- Staff or other complainant or respondent: staff are encouraged to bring a support person who will accompany them to any meetings that take place during the complaints process. They need to be made aware that the support person is not an advocate for the complainant or respondent and must not have an active role in the resolution process, including if they are union support persons.

ANNEXURE C - POINTS TO CONSIDER

This Annexure is for the use of complainants reflecting on ordinary complaints. It does not apply where the complaint involves an allegation of reportable conduct, harm to a child, sexual abuse, sexual harassment or any other matter on the Issues Outside list. For those matters, refer to the relevant procedure.

- What is the complaint or dispute about?
- Who was involved?
- What was your reaction?
- Have you taken time to reflect on the situation before deciding what action you may wish to take?
- Has this affected your schoolwork? If so, how?
- Has this affected your personal life? If so, how?
- Why do you think this is a genuine complaint?
- There are always two sides to a story. What do you think the other side might be?
- What would resolve the situation for you?
- Do you think that something can be done so that the situation does not arise again?

