



SCHOOL POLICY: CONCERNS AND COMPLAINTS

Rationale

It is recognised that most **concerns** will be able to be resolved by discussion between the person with the concern and the teacher and/or principal, without a need to take the matter further. The principal and staff member shall, where-ever appropriate, seek to resolve a concern in this manner, in the first instance. In the event that a resolution cannot be reached, then the value of discussion with mediation from an independent third party is recognised. The principal has a major responsibility in receiving concerns. It is recognised that individual members of the board may, from time to time, be approached by members of the community with concerns regarding school employees or the day-to-day operations of the school. In such cases they must immediately inform the parent/caregiver to personally approach the principal. In the event that a **concern** cannot be resolved, then the parent/caregiver may decide to formalise their concern by presenting a **complaint**.

A complaint is deemed to be of a serious nature and the parent/caregiver must put their **complaint in writing**, stating that they are making a complaint, and then outlining the allegations. A complaint may be the result of actions or speech or deed, construed by parents or a member of the community to be detrimental to the child or children and/or staff at the school.

Purpose

To ensure all complaints are handled in a fair and just manner.

Guidelines

Any complaint procedure will be along the following lines:

1. At the first meeting of the Board each year, the Board will form a Complaints Committee of no more than 3 members of the Board, (excluding principal and staff trustee), and delegate to one such member, the role/responsibilities of Convener. The committee will be delegated the powers to investigate and determine any appropriate disciplinary actions.
2. All documentation is to remain confidential to the parties involved, and the provisions of the Official Information Act 1982 and the Privacy Act 1993 will be adhered to. Members of the Board, other than those delegated the authority to serve on the complaints committee, do not have any rights to information concerning the complaints investigation. The Complaints Committee is deemed to be IN-COMMITTEE at all times throughout the process of dealing with a complaint.
3. Where a concern by a parent/caregiver cannot be resolved by the teacher and parent/caregiver concerned, then a complaint may be referred to the School Principal or Board Chair.
4. A complaint must be made in writing and be made by an individual.
5. When a formal letter of complaint is sent to the school, the Board of Trustees must be notified within 12 hours. The Board Chair will acknowledge receipt of the letter of complaint, attaching a copy of the school's complaints policy and procedures, within the following 2 working days of receiving the complaint.



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6. Should the letter of complaint be firstly directed to the Board Chair, a copy of the letter must be redirected to the Principal, who will follow the matter through and take it back to the Board of Trustees with a recommendation/s, within 5 working days of receiving the complaint.
7. It is at the stage that the Board of Trustees Complaints Committee becomes involved.
8. If legal or further action is to be taken, School Trustees Association, (STA), should be notified and their advice adhered to. In the event that any circumstance is realised which may result in a personal grievance claim, the Board’s Professional Indemnity insurer will be notified immediately.
9. The staff member concerned is entitled to Union/other representation. The employee shall have the right to request representation at any stage, and shall be advised of such at the beginning of any investigation.
10. The teacher, member of staff, must have the opportunity to respond and be heard.
11. No contact will be made with the public or the media, except through the Board of Trustees member designated to do this.
12. Should the complaint be about the School Principal, the complaint must be referred, in writing, to the Chairperson of the Board of Trustees.
13. Should the nature of the alleged conduct be deemed sufficiently serious, the Principal and the Board may decide to either suspend, (with or without pay), or transfer temporarily to other duties, having regard to the provisions set out in the relevant Employment Agreement. In the case of instant dismissal, legal advice must be sought prior to this action.
14. The School Board will, IN-COMMITTEE, receive a report from the Complaints Committee, stating the complaint, process and procedures in dealing with the complaint, and recommendation for closure; the Board will then reach and act on the decision of the Board.
15. The Board’s decision/response is communicated to the parties to the complaint.
16. Refer to Orini Combined School, Concerns and Complaints Procedure, 01, *for further information*.

References

1. NZEI Principals Kit
2. New School Trustees Association Handbook
3. Primary Principal’s Collective Agreement, 29 November 2010 to 15 August 2012
4. Primary Teachers (including Deputy and Assistant Principals and other unit holder) Collective Agreement, 26 November 2010 to 15 August 2012
5. Support Staff In Schools Collective Agreement, 4 August 2011 to 20 December 2013
6. Caretakers and Cleaners Collective Agreement
7. Any relevant Individual Employment Agreement

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PRINCIPAL

BOARD CHAIR

Dated: May 18, 2015