



BOARD OF TRUSTEES

Reviewed: November 2020

COMPLAINTS POLICY FOR STAFF, PARENTS AND STUDENTS REGARDING CONDUCT AND DISCIPLINE

Mission Statement: *Learning Excellence for Life*

Diligere Verum

Love the Truth

Arohatia te Whakapono

RATIONALE:

The individual concerns of all staff and students need to be recognised and the wider interests of both the school and community protected and enhanced. Concerns related to students either by staff or other students are dealt with in the School's Discipline and Guidance procedures. All complainants, students and staff have a right to fair, non-threatening treatment. The school environment should be such that parents, staff and students feel able to come forward with concerns and know all matters will be dealt with fairly and in the strictest confidence.

Ref: NEG's 1, 2 NAG's 3, 5

PURPOSE:

- 1 To ensure the safety of the complainant and that the rights and dignity of employees are given full consideration.
- 2 To meet aspects of the Charter relating to student progress and welfare.
- 3 To ensure that in the case of a complaint against an employee, action is guided by the relevant employment contract and the principles of natural justice.
- 4 To ensure that communication and consultation with families take place wherever possible and appropriate.
- 5 To provide clear guidelines to management in respect of any allegations received and how to deal with these in fair and appropriate ways.

GUIDELINES:

- 1 Natural justice and Gospel values must always be recognised and adhered to in the handling of any complaint.
- 2 Complaints will normally be referred in the first instance to the appropriate area of management eg complaints about the Principal would be referred to the Board of Trustees; senior management to the Principal; HOD's/TIC's or Deans to the relevant SMT member; curriculum teaching to HOD's; classroom issues to

the subject teacher concerned (or Dean if more than one subject).

In serious cases the steps above, where appropriate, may be by-passed with complaints made directly to the Principal or Board Chairperson with reasons for by-passing the normal process included (refer 12 below).

- 3 All complaints will be taken seriously. Formal complaints are to be received in writing. Both parties and specific issues are to be identified. When a complaint is received, clarification needs to be sought by the person receiving the complaint as to whether or not the complainant is “voicing concern” or making a formal complaint. When a formal complaint is received, the complainant is to be asked to put their concerns in writing, date and sign.
- 4 A letter of receipt and intended follow up will be written in reply to a formal written complaint.
- 5 A letter detailing the final outcome to a formal written complaint will be sent to the complainant.
- 6 A register of formal written complaints, along with a record of action taken, will be kept by the Principal's Secretary.
- 7 Where appropriate there will be early consultation with parties concerned.
- 8 Guidance and support will be available to staff and students when necessary.
- 9 If a complaint is to become the subject of formal disciplinary investigation then this shall be conducted in accordance with relevant employment contract provisions and natural justice.
- 10 Complainants will be kept informed of the outcome of any investigation.
- 11 Police and other outside agencies should normally only be involved after consultation with parents/guardians.
- 12 The provisions of the Privacy Act are to be observed.
- 13 The Complaints Procedure will follow a 2 stage process - refer Procedures below.
A complaint may go through Stage 1 then to Stage 2 if unresolved.
A complaint may go directly to Stage 2 if appropriate or serious enough.
- 14 The official person in acting for the college in dealing with the media, is in the first instance, the Principal who will liaise with the Board Chair before any statement is issued.
- 15 All complaints will be dealt with in accordance with the provisions of the appropriate section of the Employment Relations Act 2000. These are the same as the PPTA collective agreement.

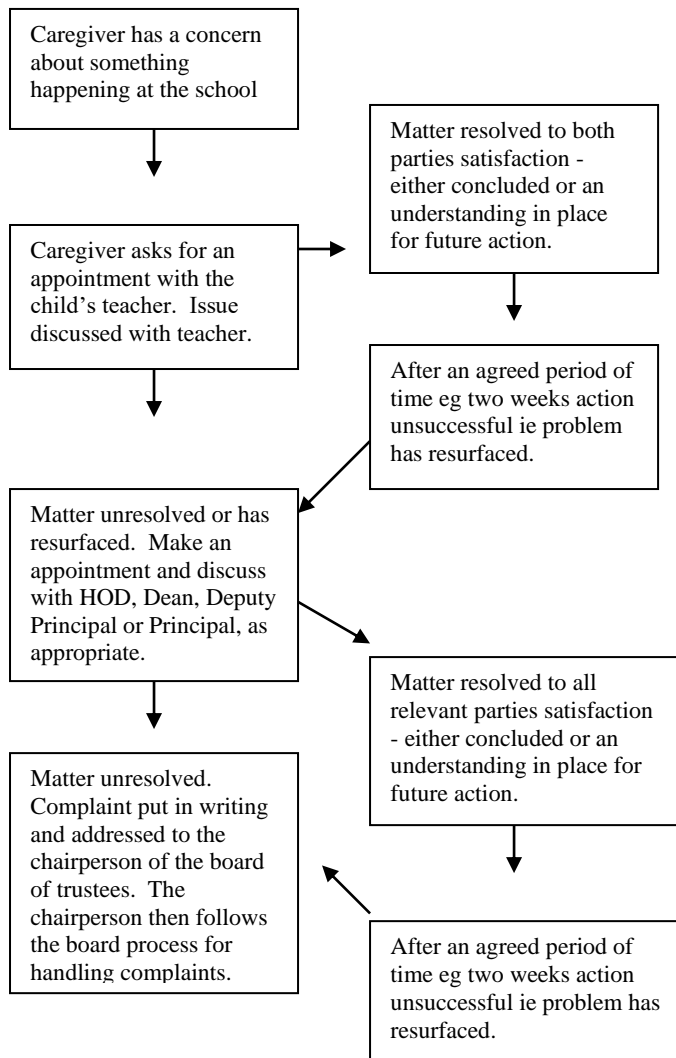
PROCEDURES:

(As recommended by the New Zealand School Trustees Association).

Stage One:

Shaded area denotes ‘public excluded’

School Community Complaints Procedure for Pompallier Catholic College



Notes:

1: While minor issues may be able to be discussed in a quick informal chat with a staff member, normally in order for both parties to give the matter full attention, arranging a time to discuss the matter is the preferred option.

2: If the complaints procedure has not been followed the Board will normally return any letter of complaint to the writer and ask that they follow the procedure first.

3: The Board needs to formally receive a complaint in order to act on it. If a complaint is serious enough for the Board to deal with, it is serious enough to be put in writing. If you have concerns about expressing the matter clearly in writing please discuss the matter in confidence with the Board Chair (or another delegated Board member) to enable them to assist you with this.

4: All parties to a complaint may bring a support person to any meeting where the issue is to be discussed.

5: Each formal written complaint and its outcome will be recorded in the register of formal written complaints.

Stage Two:

Pompallier Catholic College Board of Trustees Complaints Procedure

Letter of complaint is acknowledged by the Chairperson and the complainant advised of the next steps in the Board process. The letter becomes part of the correspondence that will be dealt with at the next Board meeting while the public is excluded

Letter is tabled at Board meeting (with the public excluded) and referred to relevant parties for reporting back to the Board. The Board decides whether to deal with the matter as a whole or appoint a committee to investigate and recommend to the Board

At the meeting of the Board/committee the reports are received and the parties may be invited to speak to their complaint or answer questions. The Board/committee considers the evidence and/or information and comes to a decision or recommendation

Depending on the delegated powers of the committee either they or the Board as a whole come to a resolution as to how the Board will respond and/or what action will be taken.

The Board response is communicated to the parties to the complaint. This may be either publicly or confidentially depending on the case.

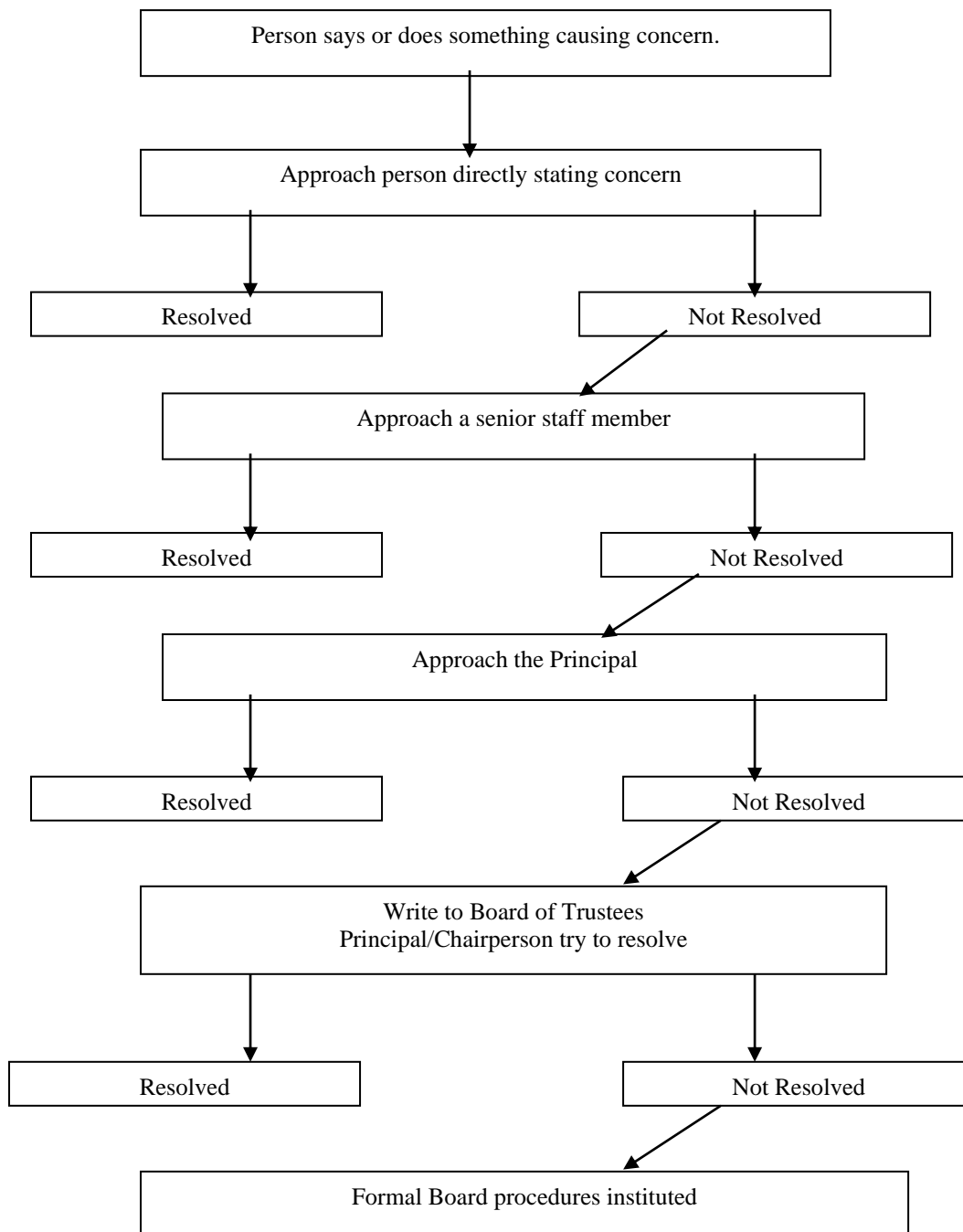
Any of the parties may request the Board to reconsider their decision - however normally for such a reconsideration to take place new information that would have been relevant to the Boards deliberations must be produced.

Stage Two: Board Process

Guidelines:

- 1 Issues of a serious matter eg allegations of physical abuse, may require a special meeting of the Board to be called.
- 2 All letters addressed to the Chairperson of the Board are for the whole Board. The chairperson cannot decide independently as to what action will be taken.
- 3 Resolution or dismissal of the complaint must not be discussed before all the information is to hand.
- 4 Conflict of interest will be determined on a number of issues, including whether the complaint involves the actions of any trustee.
- 5 The Board must exercise caution when dealing with complaints regarding staff, particularly in relation to confidentiality and processes to ensure the principles of natural justice are met. It is advisable to contact the regional NZSTA personnel/industrial adviser in such cases. The Board will need to consider the relevant staff disciplinary policies, employment contracts, and expert advice from the NZSTA adviser.
- 6 The Board recognises that not all complainants will be satisfied with the outcome of a complaint. After one reconsideration, if the Board is confident of its decision, it will refuse to enter into further discussion/correspondence. In making such a decision the NZSTA helpdesk can assist by giving an objective assessment of a Board's processes in dealing with the complaint.
- 7 A complaint regarding lack of compliance in relation to an agreed complaint resolution will be treated as a serious matter and actioned with urgency as a new complaint rather than as a reconsideration of the previous issue.
- 8 Trustees need to be clear in their mind of the difference between a complaint they have as a parent (ie regarding their own child) and a complaint they have as a trustee (eg obstruction of staff preventing them carrying out Board work). In the first instance they are required to follow the normal procedures and are excluded from decision making due to conflict of interest. The latter case is dealt with as an agenda item for the whole Board (possibly with the public excluded).
- 9 ***Each formal written complaint and its outcome will be recorded in the register of formal written complaints.***

COMPLAINTS AGAINST ANOTHER STAFF MEMBER



Reviewed: November 2020
Next Review: November 2023
Review by: BoT Chair, Principal