

# Concerns and Complaints Procedures



## Purpose

To outline the steps to be taken when a member of the School Community (including parents, caregivers, neighbours, representatives of other schools), has a complaint or concern.

## Scope

This policy applies to all members of the School Community, the Principal, Staff and the Board of Trustees.

## Responsibilities

Complaints and concerns will be addressed by Teaching Staff, Principal and the Board of Trustees.

## Guidelines

### Stage One: School Community Process.

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. Caution must be exercised when dealing with complaints regarding staff, particularly in relation to confidentiality and processes to ensure the principles of natural justice and procedural fairness are met. The Principal must consider the relevant staff disciplinary processes, collective agreements and employment contracts. The Principal may also consider referring to NZEI Principal's Council Kit for guidance.
3. If the concerns and complaints policy has not been followed, the Board will normally return any letter of complaint to the writer and ask that they follow the policy first.
4. 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 put in writing.
5. All parties to the complaint may bring a support person to any meeting where the issue is to be discussed. The other party should be informed if a support person is to be present.

### Stage 2: Board of Trustees Process

1. Issues of a serious nature, e.g. allegations of physical abuse, may require a special meeting of the Board to be called.

2. All correspondence to the Chairperson is for the whole Board. The Chairperson cannot decide independently as to what action is to be taken. A decision or response of the complaint will not be discussed before all the relevant information has been gathered.
3. Conflict of interest will be determined on a number of issues, including whether the complaint involves the actions of any trustee.
4. Caution must be exercised when dealing with complaints regarding staff, particularly in relation to confidentiality and processes to ensure the principles of natural justice and procedural fairness are met. The Board must consider the relevant staff disciplinary processes, collective agreements and employment contracts. Consideration should also be given to consulting a personnel/industrial adviser.
5. The Board recognises that not all complainants will be satisfied with the outcome of the Complaint and will be prepared to reconsider its decision. After one reconsideration, if the Board is confident of its decision, it will not enter into any further discussion/correspondence on the complaint.
6. 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.
7. Trustees need to recognise the difference between a complaint they have as a parent (i.e. regarding their own child) and a complaint they have as a trustee. In the first instance they are required to follow the normal Complaints and Concerns policy and are excluded from decision making due to a conflict of interest. The latter case is dealt with as an agenda item for the whole Board.

#### **Document Control**

<b>Version</b>	<b>Status/change</b>	<b>Date</b>
v1.0	Reviewed by Kilbirnie School principal	
v1.1	Formatted and minor editing	May 2017

## **Attachment: Concerns and Complaints Process**

### **Stage One: School Process:**

Complainant has a concern about something happening at Kilbirnie School.

Unresolved?

Make an appointment and discuss with the principal

Unresolved?

Complaint is put in writing and is addressed to the Chairperson of the Board of Trustees

### **Stage Two: Board Process:**

Complaint received in writing

Complaint acknowledged by the Chairperson and the complainant is advised of the next steps in the board process. The complaint becomes part of the correspondence for the next Board meeting.

Complaint is tabled at the next board meeting and investigated. The complaint is referred to the relevant parties to gather evidence and report back to the board. The board may deal with the matter as a whole or appoint a committee to investigate and make a recommendation to the board.

The board or committee receives the reports and the parties may be invited to speak to the complaint or answer questions. The board or committee considers the evidence and/or information and makes a decision or recommendation.

The board's response is communicated to the parties. This may be either publically or privately depending on the nature of the case.

Any of the parties can request the board reconsider its decision. Normally new information that would be relevant to the board's deliberation must be produced.