



CONCERNS and COMPLAINTS POLICY

Complaints may be made against various personnel related to school business on the grounds of misconduct or incompetence and may be of a serious or less serious nature. It is in everyone's interest for complaints to be dealt with honestly and as soon as possible but not all complaints have substance and extreme caution must be exercised by principal and board when dealing with complaints.

Many complaints will be able to be resolved by discussion between principal and the person concerned, without the need to take the matter any further. Principals and boards should, wherever appropriate, seek to resolve complaints in this manner in the first instance.

Staff contracts provide guidance for both staff and board and should be closely followed. Advice is also available from union delegates and NZ School Trustees Association (NZSTA) representatives. Complaints which are poorly handled are potentially damaging for employers, employees, volunteers and schools in general.

GUIDELINES

1. Complainants should refer less serious complaints to the person concerned and aim to resolve the matter.
2. Employees should keep their principal informed of any complaints raised with them.
3. More serious complaints or complaints not resolved through an approach to the employee concerned should be referred to the principal in writing and an appointment made to discuss the matter.
4. Both parties should agree on the action to be taken. The principal should document decisions and keep on file at the school. It is desirable that contact be made for both parties to reassess the situation as soon as practical after action is taken. It may be appropriate for the person concerned to attend the meeting.
5. The principal, at their discretion, should inform the staff member or person concerned of the complaint and how the matter should be addressed.
6. People should have an opportunity to present their interpretation of complaints and should be shown any record of decisions documented by the principal.
7. If the complainant believes the complaint has not been satisfactorily addressed nor the matter adequately resolved, they should refer the complaint in writing to the chairperson.
8. The chairperson should advise the principal of the letter of complaint to ensure that the principal has already been informed, except in the case of the complaint being of a serious nature about the principal.
9. Staff members should refer to their contracts and inform their union if they have any concern whatsoever regarding the complaint or its potential impact on their personal or professional life. The principal should advise staff accordingly and if the complaint involves the principal in any way he/she should also approach the union.
10. If the complaint has not been referred to the principal and should have been, the chairperson should pass the letter to the principal for action and advise the complainant, in writing, accordingly.

Our children will leave our school continuing to be faithful, responsible and lifelong learners.

11. If correct procedure has been followed the board should discuss the matter and action to date at the next board meeting, In Committee.
 12. The board should acknowledge receipt of the letter and inform the complainant of the action the board intends to take.
 13. If the complaint is of a serious nature, such as:
 - Serious unprofessional conduct
 - Act or omission in the course of duties that renders them liable to criminal prosecution
 - Act endangering staff, students, and other users of the school
 - Theft as a servant
 - Physical, sexual or emotional abuse of a person
- Then
- The principal will confer with the Chairperson, Board of Trustees, over allegations
 - The principal/chairperson and BOT will consult with the appropriate agencies
 - The BOT will follow the advice of NZSTA/Lawyer or other professional agency before any action is taken
14. The accused will be advised of the right to request representation at the commencement of proceeding against them and should act on advice of their union delegate.
 15. The Employer shall not, unless there are exceptional circumstances, suspend the employee without first allowing the employee a reasonable opportunity to make submissions to the employer about the alleged misconduct and the appropriateness of suspension in all of the circumstances. The employer shall take into account any submissions made by the employee before determining the matter of suspension.
 16. The employer shall use its best endeavours to ensure that the period of suspension is kept to the minimum possible time consistent with ensuring that the allegations of misconduct are properly investigated and that the employee is treated fairly at all times.
 17. If the allegation that led to suspension is without substance the employee shall be reinstated effective from the date of suspension.
 18. If, following the course of inquiry, the allegation is not upheld to be serious misconduct the employee shall be reinstated effective from the date of suspension.
 19. When staff are in conflict with one another the principal will mediate.

COMPLAINT AGAINST PRINCIPAL

20. Students/guardians or staff members should refer less serious complaints directly to the Principal and attempt to resolve the matter in the first instance.
21. Where a staff member or parent has a complaint of a serious nature against the principal, then it must go in writing to the Chairperson of the Board.
22. The Chairperson will follow the guidelines of this policy and the relevant Collective Employment Contract and may seek help from other outside agencies, as mentioned above.

Review triennially