

CENTRAL SCHOOL



Te Kura Waenga O Ngāmotu

NAG 3 – COMPLAINTS POLICY

PURPOSE

Clear guidelines for dealing with concerns and complaints are necessary so that issues are addressed consistently and in a timely manner, with fairness and in compliance with statutory obligations.

DEFINITIONS

Concern – 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. In the events that a concern cannot be resolved, then the person concerned may decide to formalise their concern by making a complaint.

Complaint – A complaint must be in writing to the Principal (notwithstanding clause 12. c), state that it is a complaint and outline the issue(s). 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(ren) or staff of the school or members of the community. Any complaints made to staff must be referred to the Principal.

POLICY

1. The Principal, under the direction of the Board of Trustees, shall ensure a fair, equitable and sensitive process for dealing with complaints and concerns. The Board specifically recognises that a complaint is different from a concern both in terms of its subject matter and how it is resolved. If there is uncertainty as whether the issue raise is a concern or a complaint, the Principal will clarify with the

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parent/caregiver and then follow the appropriate procedure depending on the parent/caregivers' response.

2. All complaints and concerns are to be resolved through open lines of communication, within agreed and reasonable timeframes and in accordance with procedure.
3. Where possible, concerns should be resolved informally by discussion with the persons concerned. In the event the concern cannot be resolved informally, the matter may be escalated to a complaint and the appropriate procedure for resolution followed.
4. Complaints raised against staff shall be addressed in accordance with the procedures set out in the applicable Employment Agreement.
5. Complaints raised against the Principal shall be dealt with in accordance with the procedures set out in the Primary Principals Collective Agreement.
6. Staff disclosing serious wrongdoing in accordance with the Protected Disclosures Act 2000 will be protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings as a result of the disclosure.

CONCERNS PROCEDURE

7. Concerns generally should be raised in the first instance with the staff member who the concern is about. Attempts should be made at that stage to discuss and resolve the matter between the person raising the concern and the staff member. If the concern cannot be resolved in this way, the team leader will be engaged to resolve matters. If that is not possible the Principal should be engaged to discuss matters.
8. The team leader/Principal will discuss the concern with the person the subject of the concern. The team leader/Principal will then discuss the response and ways to resolve the concern with the person raising the concern and ascertain if it is possible to informally resolve the concern. If necessary, a conference with the parent, the teacher, team leader, support personnel and the Principal will be arranged.

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9. Wherever possible, concerns will be responded to and resolved within 14 days from the concern being raised. Resolution can take the form of a verbal discussion between the parties involved or written communication.
10. In the event the concern cannot be satisfactorily resolved then the Principal will ask the person raising the concern to put their complaint in writing.

COMPLAINTS PROCEDURE

11. This procedure applies to complaints received in the school against staff, the Principal, the Board of Trustees or any other complaint.

Complaints against Parents/ Staff/ the Principal – Initial resolution

12. The following have responsibility for resolution of complaints:
 - a. Complaints against parents are the Principal's responsibility. For the complaint to be considered, the alleged action must have taken place in the school environment or in connection with the school (for example, either at school, or at a sporting event, school trip or function).
 - b. Complaints against staff are the Principal's responsibility to investigate and manage with support from the Board of Trustees.
 - c. Complaints against the Principal are the Board of Trustees' responsibility to investigate and manage with support from outside agencies such as NZEI, NZSTA and the Board's liability insurer. The Chairperson must be notified immediately a complaint is received. The Board must be notified about complaints at the next available Board meeting after they have been received by the school. If the complaint is considered serious by the Board of Trustees' Chairperson then a special Board meeting may be convened and held in committee at an earlier date.
 - d. Where a complaint involves multiple parties (e.g., staff, parent and/or the Principal) then the Board of Trustees has responsibility to investigate the

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complaint. The Board of Trustees will form a Board Committee to investigate and manage the complaint.

13. A complaint should be formally acknowledged by the school by way of a letter to the complainant acknowledging receipt. This letter must be sent to the complainant within 5 working days from receipt, setting out the process for resolving the complaint. If it is a complaint against parents or staff this is the Principal's responsibility. If it is a complaint against the Principal or multiple parties, this is the Board of Trustees' responsibility. The Board of Trustees delegates the Chairperson of the Board of Trustees to reply (noting that responsibility may be delegated to a Board Member or the Secretary).
14. The complaint must be given to the person the subject of the complaint within 5 working days from receipt. The person the subject of the complaint will be asked to formally respond within 10 working days. This response can be by way of meeting, letter or any other means deemed appropriate. Advice and support will be given to the person the subject of the complaint.
15. The complaint will be fully investigated as required by the nature of the complaint. This may include meeting any other relevant party; having discussions with the complainant and having further discussion with the person the subject of the complaint. Confidentiality in respect of the complaint must be maintained.
16. Having fully investigated matters the Principal; the Board Member or the Board Committee will formally report to the complainant and the subject person of the complaint the outcome of the investigation and how the complaint has been resolved. Where ever possible this report must take place within 3 months from the date the complaint was received. The Board must be advised at the next available Board meeting of the outcome of the complaint.

Next stage resolution

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17. If there remains dissatisfaction after these procedures have been followed, the complaint should be put into writing and sent to the Board of Trustees (if against a staff member) or reviewed again by the Board of Trustee Chairperson (if against the Principal). The complaint will be dealt with by the Board involving NZSTA, NZEI and the Ministry of Education where deemed necessary.
18. The Board will discuss the complaint in committee at the next Board meeting. The Board will delegate the Principal and the Chairperson or a Committee to investigate and resolve the complaint. The Board Committee must be made up of members with no conflict of interest regarding the matter.
19. If the complaint is considered serious by the Board of Trustees' Chairperson and/or the Principal, they may call a special Board meeting. Outside agencies such as NZEI, NZSTA and the Board's liability insurer must be consulted with as deemed necessary for any complaint.
20. The staff member or Principal should seek assistance from their counselling body at the earliest point of a negotiation or discussion breakdown.
21. The complaint will be fully investigated as required by the nature of the complaint. Having fully investigated matters the Board Committee will formally report to the complainant and the subject person of the complaint the outcome of the investigation and how the complaint has been resolved. Wherever possible this report must take place within 3 months from the date the complaint was received by the Board Committee. The Board must be advised at the next available Board meeting of the outcome of the complaint.

Complaints About the Board of Trustees

22. All complaints about the Board of Trustees, as a body or individuals, shall be made in writing and submitted to the Board via the Principal, the Board of Trustee Chairperson or the secretary.
23. The complaint will be dealt with by the Board involving NZSTA, NZEI and the Ministry of Education where deemed necessary.

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24. Unresolved complainants will be advised to contact the Ministry of Education.

Complaints About Students

25. The Principal or Associate Principal(s) will deal with each complaint according to the circumstances.
26. It is important that children are kept safe and complaints should not be made in the presence or hearing of the student. The child involved should not be approached or dealt with directly other than by a teacher or the Principal.
27. Although the school does not have responsibility for the actions of students outside the school environment, the school will at all times adopt a community pastoral care role.
28. The school may involve the parents of the student, Oranga Tamariki or the Police if the situation is deemed serious enough by the Principal.

Complaints by Students

29. The Principal or Deputy Principal(s) will deal with each complaint according to the circumstances.

Complaints by Staff Members Against Other Staff or the Board of Trustees

30. All complaints of this type are to be dealt with in accordance with the Primary Teachers' Collective Agreement.

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