



Policy – Complaints Policy & Process

Policy to support NAG 5 Health & Safety

Outcome statement

All complaints, concerns and incidents are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned.

Scoping

In order to maintain a safe and comfortable environment for all students, staff and visitors, an accessible procedure for handling complaints and grievances will be implemented and maintained to provide an open and fair way of resolving issues and will comply with all relevant legislation.

Delegations

The board delegates to the principal full responsibility of ensuring processes are in place and operating effectively and adequately. In the event of a complaint or grievance concerning the principal, the responsibility lies with the board.

Expectations and limitations

In the course of dealing with a concern / complaint, the principles of natural justice will apply at all times.

In complying with the policy, the principal shall not fail to:

- implement and maintain robust procedures to meet the policy requirements
- ensure that the process for complaints or grievances is clearly communicated
- report to the board as follows:
 - o When receiving a complaint, the board must ensure that the complainant has previously followed the school's concerns and complaints procedure and that the complaint has been escalated to board level correctly.
 - o Should the board receive a complaint regarding the principal or determine that any policy violation may have occurred, the board in the first instance will consider whether this may be dealt with in an informal manner (as per the employment agreement provisions that apply to the principal).
 - o Where the board considers the degree and seriousness of the concern or any violation sufficient to warrant initiating a disciplinary or competency process, the board shall seek the support and advice in the first instance from an NZSTA adviser to ensure due process is followed.

Procedures/supporting documentation

Parent/whānau concerns and complaints procedure

Staff concerns and complaints procedure

Monitoring

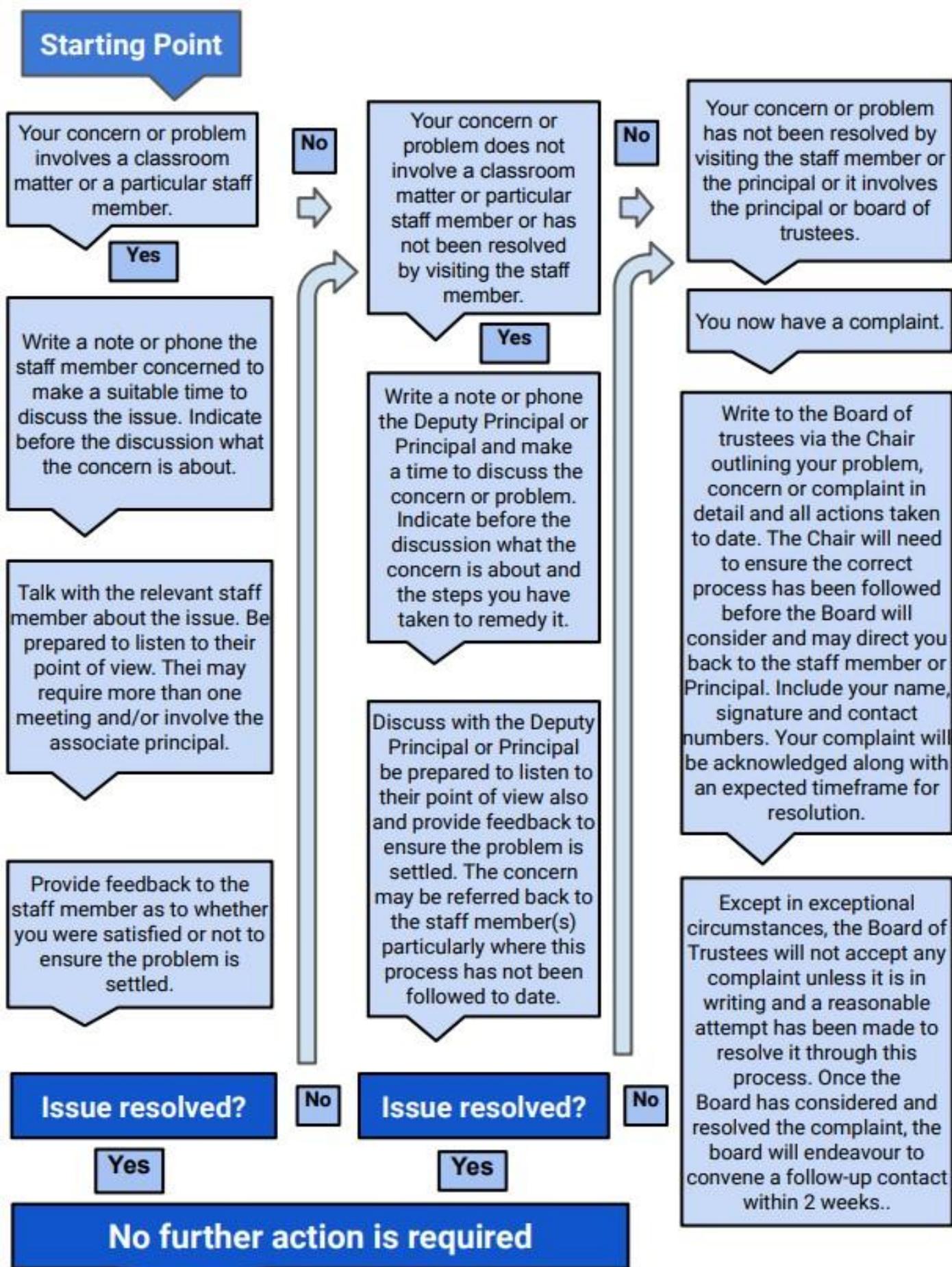
The principal shall maintain a register of complaints and resolutions and report to the board at least quarterly per annum outlining numbers of complaints, resolution success figures and any areas of concern for board deliberation.

Legislative compliance

Reviewed: *March 2019*

Next review: *March 2022*

Stage 1: Resolution Between Parties - Flow Chart



Stage 2: Resolution through the Board- Board Checklist

Once a letter of complaint has been received, the board chair should ensure the following process is followed:

Board Process

1. Ensure the process has been followed as outlined in the concerns and complaints procedure or is a genuine complaint against the Principal or board.
2. Verify with the Principal that any staff (or others) identified in the complaint are aware of the situation and that there has been discussion and attempts to reconcile.
3. If the complaint or action is employment related or has potential industrial relations implications, contact the NZSTA employment advisory and support centre. For all other complaints, contact the NZSTA governance advisory and support centre.
4. Alert the school's insurance broker.
5. Acknowledge the letter of complaint within 7 days and advise the board process, or redirect the complainant to principal, syndicate leader or staff member as appropriate. Report to the board without names or detail at the next meeting.
6. Once confirmed as a complaint, forward it confidentially to all trustees for consideration.
7. Board request to principal to present full written report outlining all actions taken, advice received, meetings held and justified decisions made.
8. Board determines whether the above fully satisfies them of full and fair process. If so, the board supports the principal and advises the complainant.
9. If not satisfied, the board meets and discusses in committee, determines whether to formally meet the complainant and delegates responsibility to trustee(s) as deemed appropriate.
10. Board delegates meet with the complainant and discuss the complaint more fully, verifies, investigates and clarifies. Support persons should be confirmed as welcome to attend.
11. Board delegates report back to full board and recommend actions/decisions.
12. Board takes appropriate actions, records and formally minutes decisions.
13. Board advises the complainant in writing of its provisional decisions and factors considered in reaching them, within 15 school days of complaint receipt, unless otherwise agreed by all parties. Complainant is given opportunity to comment before the board's final decision is reached and given.

Note:

Issues of a serious matter, eg allegations of physical abuse, may require a special meeting of the board to be called.

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.

Resolution or dismissal of the complaint must not be discussed before all the information is to hand.

Conflict of interest will be determined on a number of issues, including whether the complaint involves the actions of any trustee.

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.