

COMPLAINTS POLICY AND PROCEDURES

Updated September 2021

Rationale

It is important that the concerns of students, staff, parents/whānau, and members of the Allandale School / Te Kura o Motueka (The School) community are recognised and resolved in a fair and consistent manner.

The relationship between members of the school community is strengthened when concerns and complaints are given serious, consistent and equitable consideration. Allandale School (its policies, practices, students, personnel and Board) should be open to the possibility of positive change. Attending to concerns and complaints in the appropriate manner provides this opportunity.

Purpose

The purpose of this policy is to make a genuine effort to ensure that all complaints are investigated fairly and in line with good practice and all relevant legislation at the earliest opportunity, and in a manner that respects all parties concerned and provides for positive change where identified as beneficial.

What is the difference between a Concern and a Complaint?

A **Concern** is a minor issue that may be resolved informally directly between the parties involved. Concerns are not expected to have disciplinary, or legal consequences.

A **Complaint** is an issue of a serious nature and may involve the consideration of disciplinary, legal or employment consequences. It may involve the principal or board of trustees. An unresolved, repeated or serious concern might be escalated to a complaint.

Delegations:

- The principal is delegated responsibility to ensure:
 - this policy is implemented within the school in full
 - that the policy is shared with whānau at least twice a year
 - that the policy is easily available at the school office and website.
- All complaints about a Teacher will be referred in the first instance to the Principal.
- All complaints about the Principal will be referred in the first instance to the Board of Trustees Chairperson.
- In the case of a complaint by a parent, once the dispute Resolution Scheme comes into effect, in the event that a serious dispute is not able to be resolved, the board shall advise the parent of their right to apply to the Chief Referee for the dispute to be resolved by a panel.

- Complainants with a complaint about the Board of Trustees (not individual trustees) will be directed to the Office of the Ombudsman.

Guidelines: Concerns

1. The school will make a genuine effort to resolve all concerns and complaints.
2. Anyone with a concern is encouraged to discuss the matter directly with the person involved as soon as possible, to prevent issues escalating.
3. Concerns will be dealt with by the school using the process set out in the Procedure for Concerns.
4. If a concern is not resolved through this process, or if the matter is serious, a complaint may be made.
5. A confidential Record of Concerns and their resolution will be kept by the Principal and reported to the Board at each meeting to allow the Board to keep abreast of trends with concerns and how they are resolved.
6. The school may choose to treat a concern raised with them as a complaint even if not provided in writing as a complaint, if they consider the matter is sufficiently serious.

Guidelines: Complaints

7. Complaints must be made in writing to either the Principal or the Chairperson of the Board of Trustees. All letters / emails addressed to the Chair of the Board of Trustees go to the full board.
8. The School will provide support for complainants to put complaints in writing if needed to ensure the policy is accessible to all.
9. The BOT will be notified of all complaints.
10. The process set out in the Complaints Procedure will be followed once a complaint has been received. It is helpful for the complaint to include as many details as possible, including details of efforts to resolve the issue.
11. All complaints will be treated in confidence, however, any person included in a complaint must be informed of the details of the complaint and be given an opportunity to address the complaint.
12. Conflicts of interest must be declared, and conflicted board members must not participate in the matter.
13. The board recognises that not all complainants will be satisfied with an outcome. After one consideration, if the board or delegation remains confident in its decision, it has the right to refuse to enter into further discussion / correspondence. Alternatively it may

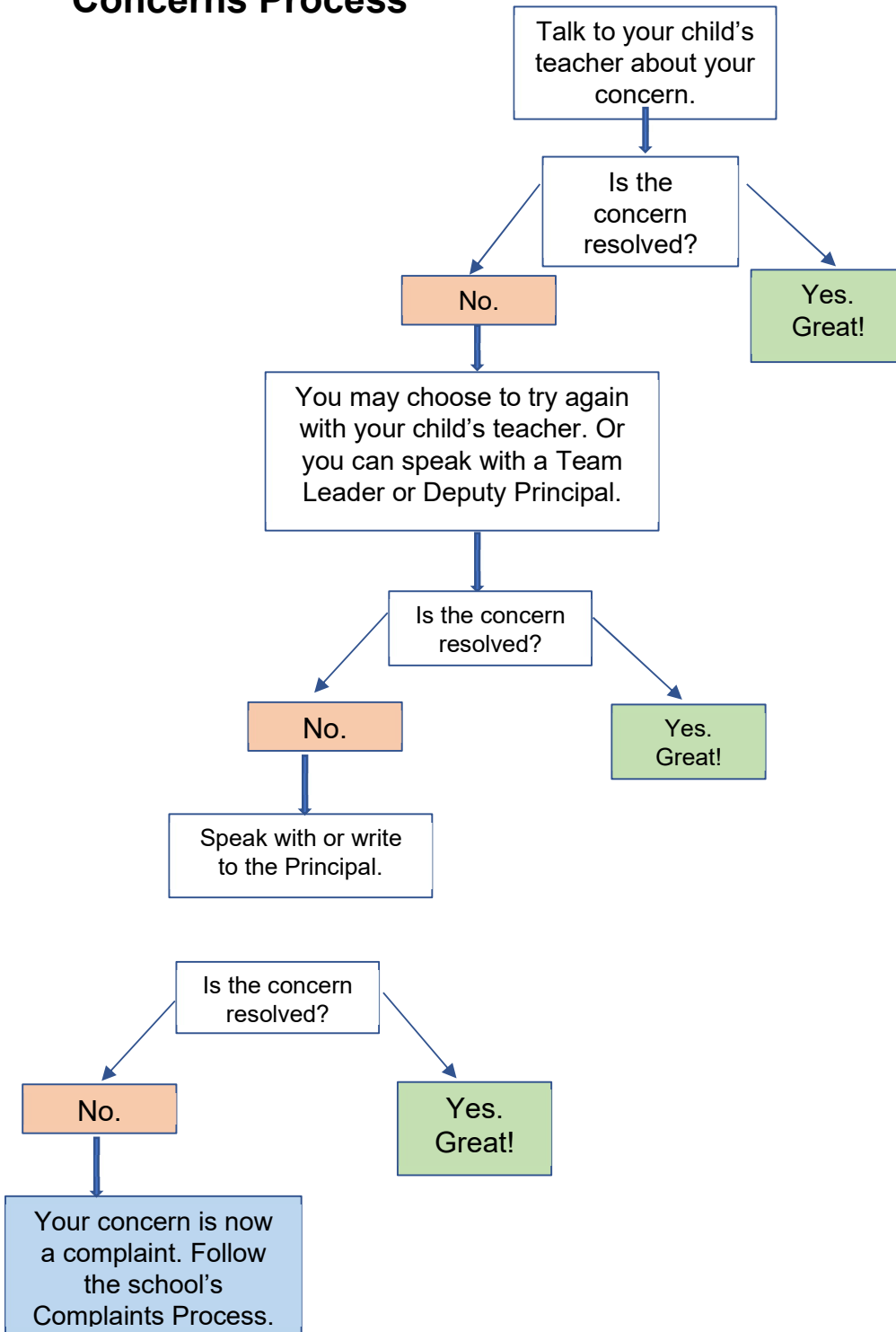
choose to review the decision and run another process which will be completed within 28 days wherever possible.

Procedure for Concerns

Anyone with a concern is encouraged to discuss the matter with the person involved as soon as possible to prevent issues escalating.

- 1) If as a parent or child you have a concern about a classroom matter you should firstly discuss the matter with the class teacher; then, if it is not resolved, with a Team Leader or Deputy Principal and then the Principal if the concern is still not satisfactorily resolved.
- 2) If you have a concern about a matter which you do not feel able to discuss with the teacher directly or which does not involve a particular teacher, you may contact a Team Leader or Deputy Principal. If the concern is about the Principal and you feel unable to resolve it with them directly, you can follow the Complaints Procedure .
- 3) Please follow the flowchart below to address a concern.
- 4) If the response provided by the school does not fully address your concern/s, you may wish to take the matter further by making a complaint using the Complaints Procedure below to the Board of Trustees.
- 5) If you are a member of staff and have a concern you should attempt to resolve the matter with the person involved directly. If you are not satisfied with the outcome, you can raise the matter with your manager. If you are not satisfied with the outcome, you can raise the matter with the Principal. If you are still not satisfied with the outcome you can raise the matter with the Board of Trustees by following the Complaints Procedure.

Concerns Process



Procedure for Complaints

In some cases, such as when your concern cannot be resolved, or if the matter is serious, you may wish to make a complaint.

In dealing with complaints, the school must act in accordance with conditions of relevant employment agreements and current legislation and will endeavour to follow best practice as well as the principles of natural justice.

Please follow the process below to make a complaint.

Steps highlighted in blue require an action by the person making the complaint. The other steps will be led by the school and may be amended as required based on advice from the New Zealand School Trustees Association for professional advice, and any other relevant agencies, such as The Police, as needed.

Complaints Process

Child/ Parent/Guardian/Staff member:

Write down your complaint giving details of the issue, including details of efforts that have been made to resolve the matter. Include your name and contact phone number. Address your written complaint to the Principal or to the Chairperson of the Board of Trustees*.

**NOTE: If you do not feel confident writing the details of the complaint yourself the School will provide you with someone to write up your concerns. Please ask the School Office if you would like to receive this support.*

School: Complaints will be acknowledged immediately upon receipt or, if that is not possible, within 48 hours, giving assurance to the complainant that the issue will be looked into.

School and Child/Parent/Guardian/Staff member: When a complaint is received, the Principal and the Chairperson of the Board of Trustees or if the complaint is about the Principal, the Chairperson and another Trustee, will discuss the matter with you before deciding what further action should be taken.

You may have a support person with you when you discuss the complaint, if you wish. This meeting will be documented.

School: The Presiding Member (chair) will need to ensure the correct process has been followed before the board will consider the matter and may direct you back to the staff member or principal if the Procedure for Concerns has not been followed if the matter is not considered sufficiently serious.

*NOTE** All business concerning the complaint and action resulting from it will be held "in committee" and recorded as such.*

School: The Board, or a delegated committee of the board will meet to consider the complaint and decide next steps and delegate to the principal (if appropriate) or a committee ("the delegate") to investigate the complaint

School: Your complaint will generally be treated in confidence. However, in the interests of natural justice any persons included in a complaint must have the opportunity to hear all details about the complaint and reply to it. A copy of the complaint will be given to the person about whom the complaint has been made, together with a copy of The School's complaints procedure and any other relevant information.

School: The complaint will be investigated by the delegate/s or an independently appointed party if that is considered more appropriate. This may include for example talking to the person about whom the complaint has been made, who may be accompanied by a support person if they wish, and by interviewing anybody else who may have had a part to play in the incident/s or observed it. Written statements will be taken to ensure accuracy.

School: The delegate/s will report to the Board following the investigation. The BOT will decide what steps will be taken as a result of the investigation, referring to good practice and taking advice as needed, and will ensure that a record of the process is kept.

School: Where the Board considers a resolution is reasonable and effective, the complainant and the person about whom the complaint has been made will be informed by the Board that no further action is intended.

School: If the Board is not satisfied that a resolution is reasonable and effective, the full Board or a committee of the Board may discuss the complaint and recommend actions. The person about whom the complaint has been made will be invited to respond to the Board's recommendations. And the complainant will be kept informed of progress.

School: In the case of allegations which have disciplinary implications, the Board will convene a committee to investigate and report only on the substance of the complaint^{***}. Such a committee will include a professional or union representative nominated by the person about whom a complaint has been laid, as well as professional or STA advisor/s selected by the Board. An independent investigator may be used if considered appropriate.

*NOTE^{***} Anyone with any personal involvement in the complaint will not be a member of any committee of inquiry. Any member of the Board who is personally involved in the complaint will take no part in the discussion about it, but may submit a statement on the matter.*

School and Child/Parent/Guardian/Staff member: You will be informed of the outcome of the investigation, and where possible, kept informed of the progress in considering your complaint.

Child/Parent/Guardian/Staff member: If you are dissatisfied with the outcome of the complaint you may write to the Board of Trustees for a review of the complaint. A review should be completed by the Board within 28 days of the referral.

You may complain to the Ministry of Education if you are not satisfied with this complaints policy and process. Once the dispute Resolution Scheme comes into effect, in the event that a serious dispute is not able to be resolved, the board will advise parents or guardians of their right to apply to the Chief Referee for the dispute to be resolved by a dispute resolution panel.

Complaints about the Board of Trustees (not individual trustees) may be directed to the Office of the Ombudsman. Complaints can only be made about the Board as a whole, not about individual trustees.