

STELLA MARIS CATHOLIC SCHOOL

POLICY: COMPLAINTS

Waiho I te toipoto, kaua I te toiroa

Let us keep close together not far apart.

PURPOSE

1. To receive and resolve complaints and concerns fairly, promptly and confidentially while considering the rights of all parties involved.

Procedures

Note: *Full documentation and confidentiality must be kept at each stage.*

1. While formal procedures are available every effort should be made for concerns or problems of a minor nature to be resolved informally.
2. Should a concern or complaint not be resolved then a formal complaint in writing may be made. See Appendix 1 for procedures. All formal complaints must be in writing and signed by the complainant.
3. In the first instance the complaint should be addressed to the person involved i.e. classroom complaints to the teacher. If unresolved the following steps will be taken
 - i. The issue will first be taken to the Team Leader
 - ii. Then to the Associate Principal responsible for that team.
 - iii. Then to the principal.

Should a concern or complaint still not be resolved the complainant can write to the Board of Trustees. The Chairperson of the Board of Trustees will promptly acknowledge in writing receipt of the complaint and ensure the complaint is addressed in accordance with the school procedures.

5. A Complaints committee, if required to be formed, will comprise
 - i. Proprietors Representative
 - ii. Parent Representative
 - iii. Chairperson or another BOT member delegated by the chair (Excluding the principal or staff representative.)
6. When the complaint is against an employee (including the Principal) the provisions of the relevant Collective Employment Agreement relating to complaints and discipline will be followed.

7 Where the complaint is against a Board member, the Board may consult with STA and seek guidance and direction

This Policy will be reviewed according to the Board's Review Programme

PROCEDURES for CONCERNS and COMPLAINTS

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.

Classroom Issues

1) If you have a concern about a classroom matter you should first discuss the matter with the class teacher. If needed the concern can then be taken to the team leader, then the Associate Principal responsible for that team, then the Principal, and finally if not resolved the Board of Trustees.

2) If the response provided by the school does not fully address your concerns, you may wish to take the matter further by making a formal complaint (see Formal Complaints Procedure)

Other Concerns

1) 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 the Principal.

In all cases, if a concern is not resolved, a formal complaint may be laid.

Procedure for a Formal Complaint

In some cases, such as when your concern cannot be resolved, you may wish to make a formal complaint.

1. 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.
2. Address your written complaint to the Principal or to the Chairperson of the Board of Trustees. Ask for assistance at the school office if you are unsure how to go about delivering your complaint.
3. Complaints will be acknowledged within 48 hours of receipt, giving assurance to the complainant that the issue will be investigated.
4. 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.
5. 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.

6. The complaint will be investigated by talking to the person about whom the complaint has been made, who may be accompanied by a support person if they wish, and interviewing anybody else who may have had a part to play in the incident. Written statements will be taken.

7. Depending on the nature of the complaint, the matter may be referred to the Board of Trustees for consideration and action.

8. The Principal or BOT will decide what steps will be taken as a result of the investigation and will ensure that a record of the process is kept.

9. You will be informed of the outcome of the investigation.

10. In dealing with complaints, employers must act in accordance with conditions of relevant employment agreements and current legislation.

11. 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.

12. Parents may complain to the Ministry of Education if they are not satisfied with this complaints process. In this situation, the school will liaise with the New Zealand School Trustees Association.

13. Complaints about the Board of Trustees (not individual trustees) may be directed to the Office of the Ombudsman

COMPLAINTS AGAINST STAFF

Complaints against teaching or support staff

All complaints about Teacher(s)/principal shall be dealt with as set out in the relevant Collective Employment Agreements.

All complaints against a Teacher shall be referred in the first instance to the Principal. A copy of the complaint will be given to the teacher for a written response. If unresolved, the complaint should be made in writing to the Board of Trustees and signed by the complainant.

While formal procedures are available as a last resort, every effort should be made by all concerned to resolve the matter informally,

Complaints - Principal

All complaints against the Principal shall be referred in the first instance to the Board of Trustees Chairperson. Expert advice from the NZSTA Advisor will be sought, and a copy of the complaint should be given to the principal for a written response.

The Board will consider the written response and after considering all information, make a decision.

The Board will acknowledge the complaint and inform the complainant in writing of any actions taken in resolution.

Complaints against teachers/principal that are escalated to the Board

Where the Board considers a resolution is reasonable and effective, the complainant and the Teacher/Principal should be informed by the Board that no further action is intended.

If the Board is not satisfied, the full Board or a committee of the Board may discuss the complaint and recommend actions to the teacher/principal. The Teacher/Principal should be invited to respond to the Board's recommendations.

In the case of allegations which have disciplinary implications, the Board should 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 Teacher/Principal as well as a professional or STA advisor selected by the Board.

The committee should report in writing to the Board detailing all parties consulted and the content of any written submissions. The committee may offer a recommendation to the Board

The Teacher/Principal should be invited to respond to the report.

In discussion at a Board meeting of the Teacher's/Principal's response, the Teacher/Principal may make a statement, answer questions, but not be present during the discussion on action on the complaint.

The Teacher/Principal may be represented at all meetings with the Board, or sub-committee of the Board by a professional or union advocate of his/her choice.

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

Any member of the Board who is personally involved in the complaint shall take no part in the discussion about it, but may submit a statement on the matter.

Anyone with any personal involvement in the complaint shall not be a member of any committee of inquiry.

If the complainant is not satisfied, the Board Chairperson should advise the complainant of further avenues, e.g. Human Rights Commission, Ombudsman, etc.

ADDITIONAL GUIDELINES for the BOARD OF TRUSTEES

The Board of Trustees will be notified of all formal complaints. All letters addressed to the Chairperson 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.

Conflicts 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 advisor in such cases. The Board will need to consider the relevant staff disciplinary policies/employment contracts and expert advice from the NZSTA Advisor.

Trustees need to be clear in their mind of the difference between a complaint they have as a parent (i.e. regarding their own child) and a complaint they have as a Trustee (e.g. obstruction of staff preventing them carrying out Board work). In the first instance, they are required to follow normal procedures and are excluded from decision-making due to conflict of interest. The latter case is dealt with as an agenda item for the whole Board (possibly with the public excluded).