

9. COMPLAINTS POLICY

Rationale

To provide clear guidance to caregivers, staff and BOT members regarding the appropriate responses to concerns and complaints so that they are dealt with professionally and promptly with a solution focused approach.

Principle

Issues raised from any source are to be identified as either a “concern” or a “formal complaint”. As a general principle, where a complaint is made, the person complained about has a right to know.

Any issues, concerns or complaints will be referred to the appropriate staff to deal with. Any unresolved concern may be directed to the Principal. Where possible the privacy of all parties will be preserved for the handling of complaints and concerns.

General guidelines for whom to refer concerns to:

Senior Staff member refers to Deans, HODs and Senior Leadership Team

HOD Curriculum
Subject Matter
Teaching Strategies
Homework (subject specific) etc.

Dean Discipline
Behaviour
Attitude
Personality clash etc.
Attendance

Senior Leadership Any unresolved concern

Handling Concerns

1. If a teacher receives a concern about another teacher they should:
 - Decline to become drawn into discussion
 - Advise the concerned person to raise the matter with the teacher concerned, or Guidance Counsellor/Dean/Year Level Leader/HOD/DP/AP
2. If a senior staff member receives a concern about another teacher:
 - Listen: do not jump to any conclusions
 - Undertake to investigate
 - Use judgment to decide the most appropriate response, action or person to handle concern
 - If passing it on, notify the teacher that a concern has been raised and to whom that concern has been passed
3. Senior staff member who is investigating and handling the **concern**:
 - Discusses with teacher concerned
 - Gives opportunity to respond (time frame to be established)

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- Resolves to find a common perspective
- Takes any action appropriate
- Reports back to the concerned person, if appropriate

The senior staff member is to determine whether the process should be recorded in writing and forwarded to the Principal. The teacher concerned should receive a copy of details and outcome.

4. If either party feels a concern has not been dealt with fairly or appropriately then the matter is to be revisited.
 - They may ask another staff member (mutual agreement) to either act as a mediator, or to review the procedure that was followed and keep a written record of discussions.
 - Where appropriate an offer of support will be made available to. This may be an advocate, support person, counsellor, caregiver or friend.
 - If there is still dissatisfaction with the procedure or outcome, the teacher should refer to PPTA/NZEI/ Counsellor/Field Officer or other support person.
5. Either party who is not satisfied their concern has been dealt with can make a formal complaint in writing, dated and addressed to the Principal.
6. Any concerns, which, after investigation are serious enough to become a complaint, will be addressed under the provisions of the relevant Collective Employment Agreement. The individual(s) concerned would be advised of this and their rights in writing, for non-union members an alternative support person would be advisable.

Handling Complaints

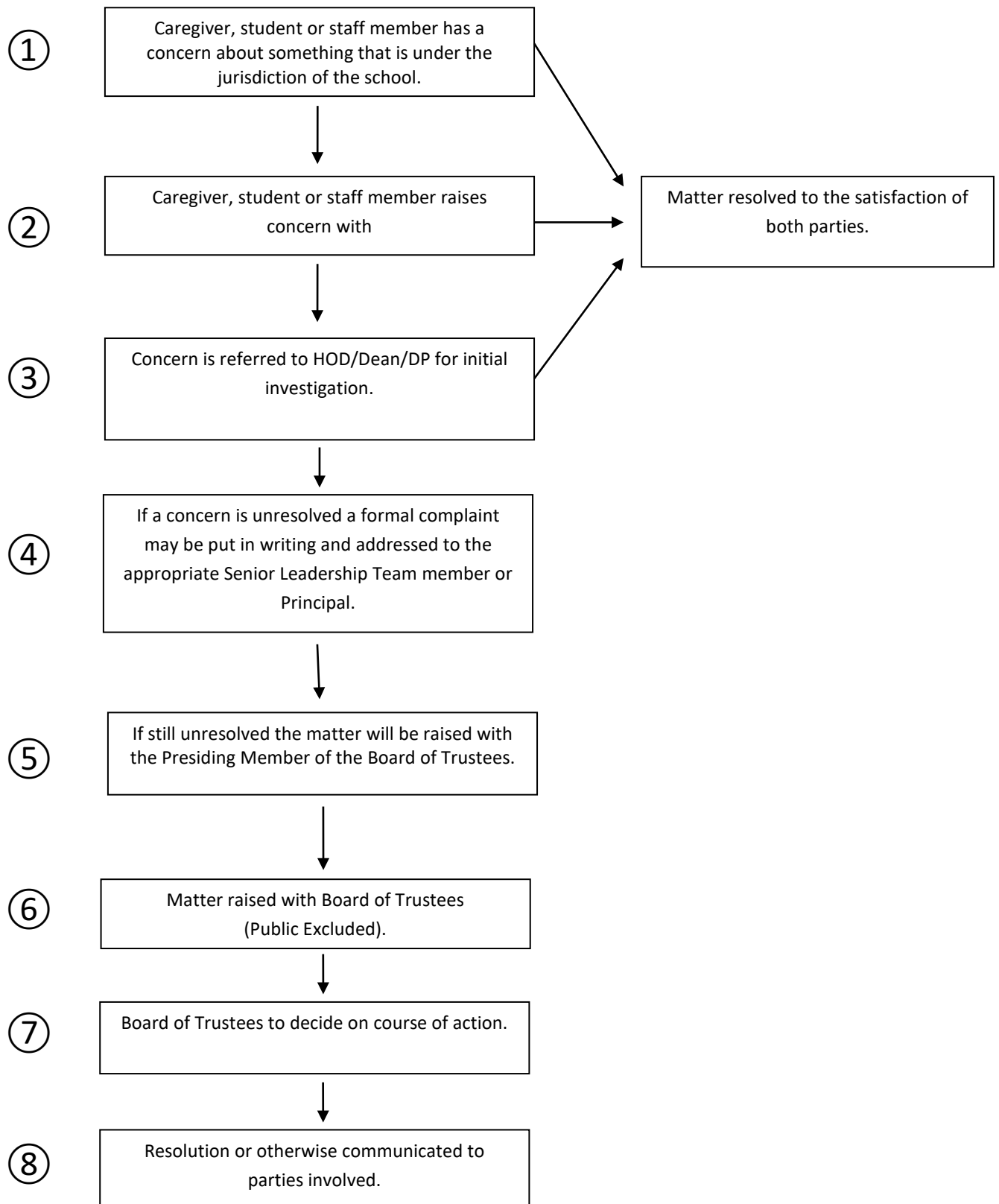
1. Formal complaints should only be handled by the Senior Leadership Team.
2. Formal complaints regarding the Assistant Principal, Deputy Principal or Associate Principals will go to the Principal for action.
3. Formal complaints regarding the Principal will go to the Board of Trustees Presiding Member.
4. Formal complaints are to be handled in a manner which emphasises their serious nature and complies with the principles of justice and good practice. A formal complaint can be documented in the minutes of a formal meeting and distributed to all attendees. **All formal Complaints are to be received in writing.**
5. If the formal complaint involves a staff member then that staff member will be informed and offered support. The respondent has the right to select the appropriate support person. The College can recommend specific support services e.g. Whānau, guidance, senior teachers, union representation etc. but must ensure there is no conflict of interest. If the respondent chooses to use a paid support person (e.g. a lawyer), it is at their own expense.
6. In the event of a student formal complaint against a staff member the student will be supported in accordance with the James Hargest College duty of care. Family and whānau will be informed and College support will be offered.
7. A written record of all communications must be kept and a full investigation will be undertaken.

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8. A written report of the summary of the formal complaint procedure and its outcome will be made available to all parties. It is expected that a satisfactory resolution will be found. Mediation is available as required using College personnel or the Mediation Services of the Employment Relations Authority. In the event that there is still an issue then the more formal procedures outlined in the legislation governing workplace procedures and staff / student rights may need to be invoked.
9. If the complainant feels the Principal's performance has been unsatisfactory, they may ask the Board's Presiding Member for an investigation under the relevant Collective Employment Agreement.

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Concerns/Complaints Procedure



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