

Otari School Complaints Process

Introduction

From time to time the Principal or Chairperson may receive an expression of concern or complaint about the School, its staff or students. Otari School values good relationships between the school, parents and the wider community. We seek to resolve complaints quickly and as fairly as possible.

Concern or Complaint

A concern is any low-level query or statement by a parent/caregiver, employee or other individual which relates to an employee, a teaching or management practice or decision, or other aspect of the service's policies or operations. This is most likely to be resolved by discussion, clarification, information or very low-level corrective measures only – not disciplinary action.

A complaint is a more serious statement made by a parent/caregiver, employee or other individual which relates to an employee, a professional or management practice or decision, or other aspect of the service's policies or operations that has not met that person's expectations for some reason.

A complaint is more likely to require corrective measures or disciplinary action.

Principles

Our principles are:

- Confidentiality – this will be maintained as far as possible except where it would breach rights of natural justice
- Respect for the dignity and mana of all people involved
- Listening and seeking to understand before taking action
- Impartiality, ensuring the procedures are fair and equitable.

Regardless of the perceived level of seriousness of a concern or complaint, they will all be handled sensitively and will receive the Principal's and Chairperson's most careful attention.

It is initially the Principal's responsibility to respond to complaints and try to resolve them. Where necessary he/she may consult appropriate support services.

Every effort will be made by the Principal, Chairperson, whānau and staff members involved to achieve an informal resolution of the complaint.

Where appropriate we will document processes and relevant correspondence when dealing with concerns and complaints.

Support services

NZEI, NZPF and NZTA

In the event that circumstances occur that may result in a personal grievance claim, the Board's personal grievance Indemnity insurer shall be notified immediately.

Formal Complaints

The collective agreements of all employees of the School set out clearly the formal path to be followed in the event of the non-resolution of a complaint at an informal level. The Board acknowledges and accepts these procedures.

The State Services Commission booklet "Employment in Education" sets out guidelines for disciplinary procedures, personal grievances, and disputes of rights. The Board acknowledges and accepts the advice in the document.

NZSTA Handbook section 18 provides guidelines and advice on the formal resolution of complaints. The Board acknowledges and accepts the advice in the document.

Complaint by parents or caregivers against staff members

The complainant must make the complaint personally or in writing to the Principal, but not in the presence or hearing of a student. The Principal will take appropriate action to address the complaint. The Principal will determine the best approach that could result in resolution, in relation to the nature of the complaint.

Giving due attention to all employment legislation, the best approach may include one or more of the following:

- Written response or phone call (if no investigation is needed)
- A meeting
- Further investigation and feedback to the complainant
- Facilitation of a meeting between parties involved
- An agreement of interim action with a follow up meeting

If efforts by the Principal to address the complaint do not result in resolution, then the complainant can make the complaint in writing to the Chairperson.

The complaint is tabled at the next Board meeting, or earlier if required, with the public excluded. The following process will then take place:

1. The Board decides to deal with it themselves or appoint a Committee.
2. The complaint is referred to relevant parties for reporting back to the Board.
3. The Board or, where appropriate, the Committee meet and reports are received. Parties may be invited to speak to their complaint or answer questions.
4. The Board/Committee considers the evidence and/or information and comes to a decision or recommendation.
5. The Board come to a resolution as to how they will respond and/or what action will be taken.
6. The Board's response is communicated to the parties to the complaint. This may be publicly or confidentially, depending on the circumstances.

Any of the parties may request the Board to reconsider their decision – normally for such a reconsideration to take place new information that would have been relevant to the Board's deliberations must be produced.

Complaints by Board against staff members

If the Board has a complaint to make against the Principal the Chairperson shall discuss the complaint with the Principal or submit the complaint in writing to the Principal.

If the Board has a complaint against any other staff member the complaint shall be discussed with the Principal who will then seek an explanation from the staff member.

In both cases above the Board shall endeavour to resolve the matter in an informal manner.

If an informal resolution is not achieved then the various provisions of the collective agreements are to be used to achieve a resolution.

Complaints by staff against parents or caregivers

If a staff member desires to make a complaint against a parent or caregiver of a child at school the complaint is to be made to the Principal in writing.

The Principal shall discuss the matter with the parent or caregiver involved and seek to resolve the matter informally. The Principal shall inform the Chairperson of the complaint. If the complaint cannot be resolved informally by the Principal then the Chairperson shall seek to resolve the matter at Board level.

Complaints by a staff member against staff member

If a staff member has a complaint to make against another staff member they shall discuss the complaint with the Principal who will outline the complaints procedure. They may then submit the complaint in writing.

The Principal shall discuss the matter with the staff member concerned and seek to resolve the complaint.

The written communication of complaint will be acknowledged by the Chairperson and the complainant will be advised of the next steps in the Board process. The written communication becomes part of the “in committee” correspondence that will be dealt with at the next Board meeting while the public are excluded. A special meeting may be called by the Board.

Complaints by staff member against a Trustee

If a staff member has a complaint to make against a Trustee they shall discuss the complaint with the Chairperson who will outline the complaints procedure. They may then submit the complaint in writing.

The Chairperson shall discuss the matter with the Trustee concerned and seek to resolve the matter.

A written communication of a complaint will be acknowledged by the Chairperson and the complainant will be advised of the next steps in the Board process. This written communication becomes part of the “in committee” correspondence that will be dealt with at the next Board meeting while the public are excluded. A special meeting may be called by the Board.

Complaints by staff member against the Chairperson

If a staff member has a complaint to make against the Chairperson they shall discuss the complaint with the Principal who will outline the complaints procedure. They may then submit the complaint in writing.

The Principal shall discuss the matter with the Chairperson, and seek to resolve the matter.

The written communication of complaint will be acknowledged by the Principal and the complainant will be advised of the next steps in the Board process. The written communication becomes part of the “in committee” correspondence that will be dealt with at the next Board meeting while the public are excluded. A special meeting may be called by the Board.

Disciplinary procedures for staff

Disciplinary procedures, as set out in the various collective agreements, which cover staff employed at the School, will be followed.

Dispute resolution

Dispute resolution, as set out in the various collective agreements, which cover staff employed at the School, will be followed.

The Board affirms that it is committed to the goals and objectives in relation to its staff, as set out in the Charter and the provisions of the various collective employment agreements covering the staff at the School.

Disciplinary Process in Relation to the Principal

In the event the Board receives a complaint regarding the Principal, or determines that policy violation(s) has (have) occurred and the Board judges the degree and seriousness of the concern or violation(s) to warrant initiating a disciplinary process, the Board shall seek free advice in the first instance from an NZSTA industrial adviser and follow due process.

Review Schedule: Annual