

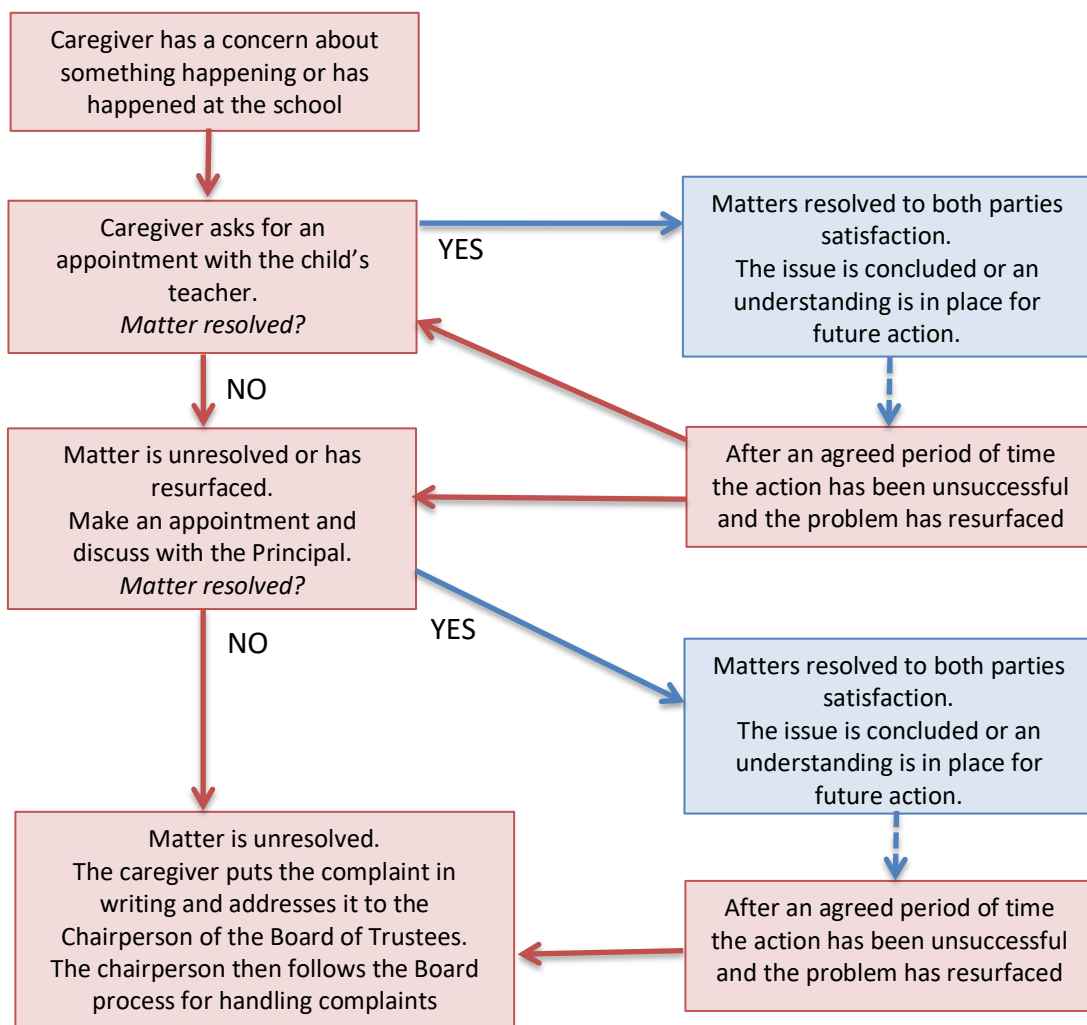
## 20. Concerns and Complaints Procedure

### Purpose:

To provide the school community with a clear process to follow when they have a complaint or concern.

### The School / Community Process:

- While minor issues may be discussed in a quick informal chat with a staff member, normally in order for both parties to give the matter full attention, arranging a time to discuss the matter, is the preferred option.
- If the complaints procedure has not been followed, the Board will normally return the letter of complaint to the writer and ask that they follow the procedure first.
- The Board needs to formally receive a complaint in order to act on it. If a complaint is serious enough for the Board to deal with, it is serious enough to be put in writing. If you have any concerns about expressing the matter clearly in writing, please discuss the matter in confidence with the Board Chairperson (or another delegated Board member) to enable them to assist you with this.
- All parties of a complaint may bring a support person to any meeting where the issue is to be discussed.



**Board Process:**

1. The letter of complaint is acknowledged by the chairperson and the complainant advised of the next steps in the Board process. The letter becomes part of the correspondence that will be dealt with at the next Board meeting while the Board is in committee and the public excluded as per *Governance Policies 14 and 15*
2. The letter is tabled while the Board is in committee (with the public excluded) and is referred to relevant parties for reporting back to the Board. The Board decides whether to deal with the matter as a whole or appoint a review committee, as per *Governance Policies 18 and 18.1* to investigate, report and recommend to the Board
3. At the meeting of the Board or Review Committee, the reports are received and the parties may be invited to speak to their complaint or answer questions. The Board/Committee considers the evidence and/or information and comes to a decision or recommendation.
4. Depending on the delegated powers of the Committee, either they or the Board as a whole come to a resolution as to how the Board will respond and/or what action will be taken.
5. The Board's response is communicated to the parties to the complaint. This may be either publicly or confidentially, depending on the case.

**Guidelines:**

1. Issues of a serious matter, e.g. allegations of physical abuse, may require a special meeting of the Board to be called.
2. 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.
3. Resolution or dismissal of the complaint must not be discussed before all the information is to hand.
4. Conflict of interest will be determined on a number of issues, including whether the complaint involves the actions of any trustee.
5. The Board must exercise caution when dealing with complaints regarding staff, particularly in relation to confidentiality and process to ensure principles of natural justice are met. It is advisable to contact the regional NZSTA personnel/industrial adviser in such cases.
6. The Board will need to consider the relevant staff disciplinary policies, employment contract, and expert advice from the NZSTA adviser. The Board recognises that not all complainants will be satisfied with the outcome of a complaint. After one reconsideration, if the Board is confident of its decision, it will refuse to enter into further discussion /correspondence. In making such a decision, the NZSTA helpdesk can assist by giving an objective assessment of a Board's processes in dealing with the complaint.
7. A complaint regarding lack of compliance in relation to an agreed complaint resolution will be treated as a serious matter and actioned with urgency as a new complaint, rather than a reconsideration of the previous issues.

*Review Schedule: Triennially*

*Last Review: March 2020*

*Next Review: March 2023*

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