



KALAPOI  
High School

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## COMPLAINTS POLICY

### **Procedures for Complaints**

These procedures cover the way the School treats any complaint.

At all times attempts will be made to resolve complaints informally by the complainant, where appropriate, communicating initially with the person whose actions have given rise to the complaint. If the complainant is not satisfied then the complaint should be made, in writing, to the Principal. The School has a complaint form, which may be used.

Complaints will be treated in confidence, however in the interest of natural justice, any person included in a complaint must have the opportunity to hear all details of the complaint and formulate a reply.

The Principal will discuss all complaints with the Board Chairperson to determine the seriousness of the complaint. All complaints received by the Board Chairperson directly will be referred to the Principal in the first instance.

### **Principal's Duties on receipt of a complaint**

The Principal will deal with a complaint by:

- acknowledging receipt of a written complaint in writing.
- enquiring into the issue and resolving the issue to the satisfaction of all parties; *or* after considering all the relevant information, making a decision about the complaint and informing the parties; *or* by
- referring the complaint to the Board providing a written report with all relevant information affecting the complaint.
- noting the complaint in the complaints register.

Where Parents/Caregivers are dissatisfied with the Principal's actions or decisions concerning any complaint, they should place their concerns in writing to the Board of Trustees Chairperson.

### **Board's Duties on receipt of a complaint**

All complaints addressed to the Chairperson are for the whole Board. The Chair cannot act independently as to what action will be taken.

Any complaint referred to the Board shall be dealt with in the Public Excluded session by the whole board and will be:

- considered on the information presented in writing
- either concluded with no further action, referred back to the Principal with or without recommendations, or referred for investigation
- based on the principles of natural justice which require that all parties have the opportunity to present their views in writing and/or orally;

- answered by the Board by writing to the complainant with appropriate information as to how the complaint was resolved or what action is to be taken next.
- referred back to the Principal for further information or mediation as appropriate.

The Board recognises that not all complainants will be satisfied with the outcome of a complaint. If a complainant is not satisfied with the Board's decision then the Chairperson should advise the complainant of other avenues, eg. The right to refer the matter to the Ombudsman.

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

### **Complaints Committee**

Should it be necessary to establish a complaints committee, the Board has the authority to include personnel from outside the Board who have appropriate expertise. This committee must have a quorum of three members.

The Complaints Committee will have the responsibility of deciding whether a complaint has been established. No one with a personal interest or predetermined view will become a member of the Complaints Committee or take part in any Board deliberations.

The Complaints Committee will:

- consider all relevant information.
- entitle any party to have a supporter, lay advocate or legal representation. The Board will not be liable for any expenses incurred by the other parties.

After a hearing the Complaints Committee may:

1. Find the complaint not established.
2. Find the complaint established and make recommendations on a course of action to the Board.

### **Complaints against the Teaching or Support Staff**

In addition to the preceding procedures the Board shall have regard to the following principles when addressing complaints (either serious or otherwise) against staff:

- All complaints against staff shall be dealt with in accordance with the relevant Employment Agreement.
- All complaints against staff are to be referred in the first instance to the Principal.
- Copies of the letter of complaint should be given to the staff member for a written response.
- The staff member should be advised that they can seek representation from a professional and/or union representative.
- In the case of allegations that may have disciplinary implications, the Board should investigate and report on the substance of the complaint. An independent investigator may be appointed or this may be delegated to a committee of three members. The committee should seek advice on process.
- The Board will establish the terms of reference for the Complaints committee and/ or the independent investigator, as required.

### **Complaints against the Board**

Complaints against the Board alleging misconduct and/or dereliction of duty will be referred to a panel comprising three or more people and may include:

1. A PTA representative
2. A STA representative
3. Any other suitable person.

It is recognised that the Board has no power of discipline over individual Board members under any Act of Parliament.

### **Complaints against the Principal**

Complaints against the Principal shall be in writing and referred to the Board Chairperson, who will inform the Board and, where appropriate, initiate mediation.

All complaints against the Principal will be dealt with in accordance with the relevant employment agreement and the procedures for complaints against staff members.

### **Complaints against Students**

Complaints against or about students will be dealt with under the student behaviour management procedures.

### **Documentation**

- All complaints will be recorded in the complaints file.
- If documentation is to be placed on the personnel file the employee will be advised.
- All material received in the Public Excluded part of a Board meeting will be collected by the Chairman and the original document will be included as part of the minutes of the meeting. All other copies of the documents will be destroyed unless the Board specifically determines otherwise.
- Any copies of documents made available to staff / affected persons and any investigator or person who is appointed to a Complaints Committee, will be marked "confidential".

The Board will undertake reporting to the NZ Teachers' Council as required by Legislation.