

Complaints

The purpose of our complaints policy is to provide clear guidelines for the school community in raising and resolving concerns and complaints.

We have procedures in place that we follow to ensure that complaints are handled appropriately. Our procedures enable us to:

- maintain the best learning environment for our students
- resolve matters of concern early, if possible
- respond to feedback and concerns constructively
- deal with complaints fairly, effectively, and promptly
- take into account individual circumstances
- maintain confidentiality
- preserve school/community relationships and communication
- monitor and record complaints and concerns about student safety.

Most complaints can be resolved informally by discussions with the people concerned. See [Guidelines for Informal Complaints](#). The school also has a procedure for making a [formal complaint](#) if informal discussion doesn't resolve the issue.

For complaints concerning harassment, see [Harassment](#). For allegations of theft or fraud, see [Theft and Fraud Prevention](#). School employees needing to make a protected disclosure, see [Protected Disclosure](#).

Generally, an anonymous complaint cannot be processed unless there is a sound legal reason for protecting the identity of the complainant.

Guidelines for Informal Complaints

Our primary goal is to create the best learning environment for the students of our school. We encourage open communication and prefer that parents come to us to talk through a problem rather than discuss it in the community.

These are recommended guidelines for parents making informal complaints.

1. Discuss the issue with the right person.
 - If the matter is a **general issue**, discuss it with the person concerned or a member of the management team or the principal.
 - If you have a **complaint about a staff member**, contact the person involved and discuss the matter. We ask that parents make this direct approach as soon as possible. Be prepared to make a time to discuss your complaint if the staff member is unable to talk with you straight away. Be open to listening to the other side of the story to avoid communication breakdowns.

If you do not wish to approach the person concerned, contact a member of the management team or the principal to resolve the matter. The principal or management team member may communicate with the staff member concerned.

- If you have a **complaint about one of our students**, contact the student's class teacher or the principal to discuss the matter.
- If the matter concerns the **principal** and you have not first resolved it by discussion, or you feel uncomfortable directly approaching the principal, contact the chairperson of the board of trustees.
- If the matter concerns a **board member**, contact the chairperson of the board of trustees, or board member if it concerns the board chair.

If you complain to a board member, you will be encouraged to resolve the issue with the guidelines above, and the board member will inform the principal and board chair.

2. Work towards a resolution.

- In most cases, constructive discussion will resolve the issue.
- If you are unhappy with the outcome of your initial meeting, contact the principal, a member of the management team, or the board chair to discuss further resolution. They will consider and respond to the complaint as appropriate.

If an informal meeting does not resolve your concern or complaint, you can make a [formal complaint](#).

If a staff member is the complainant (including complaints about colleagues), the same procedure must be followed, commencing with an initial discussion with the people concerned to try to resolve matters.

The school monitors and records any concerns about student safety.

Formal Complaint

If an informal meeting does not resolve your concern or complaint, you can make a formal complaint.

In the interests of fairness, any formal complaint or serious allegation must be made in writing and resolved in a timely fashion. All parties should respect confidentiality.

Follow this process:

Responsibility	Action
Complainant	<ol style="list-style-type: none"> 1. Put your concerns in writing, either as a signed letter or an email. Give as many details as possible, including details of efforts that have been made to resolve the issue. Include names and contact phone numbers. 2. Send the letter marked Confidential to the school principal or, if the complaint is about the principal, to the chairperson of the board of trustees. The contact details are available from the school office.
Principal (if complaint is about a	<ol style="list-style-type: none"> 3. Acknowledge receipt of the complaint in writing or by email to the complainant. Give a copy of the complaint to the staff

staff member)

member concerned.

Inform the chairperson of the board of trustees.

Board chair

4. Acknowledge receipt of the complaint in writing or by email to the complainant. Give a copy of the complaint to the principal.

(if complaint is about the principal)

When a formal complaint is received, the school may choose to investigate it if it is deemed serious enough to warrant it after considering the initial response from the person the complaint is about. Not all complaints require an investigation but all written complaints should be disclosed to the staff concerned at the earliest opportunity.

Relevant collective employment agreement provisions for dealing with complaints and discipline must be observed including allowing representation of staff at any meeting to discuss a written complaint.

If the complaint relates to an international student, and it cannot be resolved by following this process, contact [NZQA](#). If the complaint is a financial or contractual dispute contact [iStudent Complaints](#).

Investigate a Formal Complaint or Serious Allegation

When a formal complaint is received (usually in writing), the school may choose to investigate it if it is deemed serious enough to warrant it after considering the initial response from the person the complaint is about. Not all complaints require an investigation but all written complaints should be disclosed to the staff concerned at the earliest opportunity.

Relevant collective employment agreement provisions for dealing with complaints and discipline must be observed including allowing representation of staff at any meeting to discuss a written complaint. All parties are supported as appropriate.

Historical allegations are responded to in the same way as contemporary ones, with the same priority.

The [School Trustees Association](#) or legal counsel should be contacted for advice before proceeding to investigate. The school's insurer should be notified early in the process and kept informed of progress. Consult with external agencies as appropriate (e.g. Oranga Tamariki – Ministry for Children, and/or police) to ensure any actions do not undermine other investigations.

The school will not use settlement agreements where these are contrary to a culture of child protection.

If the complaint is against the principal, the principal should not take part in the investigation. Anyone with a conflict of interest should also take no part in the investigation.

The following guidelines assist in conducting an investigation.

Responsibility	Action
Principal and chairperson of the board of trustees	<p>1. After hearing from the party complained of, and assessing whether an investigation is appropriate, and resolving the issue of suspending any staff member:</p> <p>Determine the scope of the investigation, and involvement of the board in an investigating committee.</p> <p>Appoint an investigating committee if the complaint or the potential outcome of the investigation warrants it and delegate the committee responsibility to make decisions (by a board resolution), or whether you want the decision to come back to the full board.</p> <p>Consider, depending on the seriousness of the issue, whether an independent or specialist investigator should be appointed to make preliminary fact findings for the board's consideration.</p> <p>Note that the board cannot delegate decision-making responsibility to non-board members. It is wise to provide the investigator with clear Terms of Reference including that you are not looking for any recommendations on what you have to do next; just fact finding including, on the balance of probabilities, the investigator's view of disputed factual issues. Be aware that if the complaint involves a child, permission to interview the child must be obtained and it is often wise to appoint an investigator with some expertise in interviewing children.</p> <p>Consider carefully if any investigator has a potential conflict of interest or potential for bias. Consider whether your staff or student representative is conflicted and can be legitimately excluded, and whether the principal has a particular interest in the complaint.</p>
Staff member concerned	<p>2. Inform the school's insurance company of the complaint and steps taken to resolve it. This is a strict insurance policy requirement to maintain cover.</p> <p>3. Inform the staff member involved that an investigation is planned, and the scope of the investigation. Include, if applicable, the identity of any independent investigator.</p> <p>4. Always advise the staff member in writing to seek union or legal advice and representation at an early stage.</p>
Principal/investigating committee	<p>5. Provide a written and/or oral response to the complaint.</p> <p>6. Complete and take comprehensive notes on relevant inquiries and interviews. Note that taping such meetings is permitted, provided you advise the other party of your intention to do so. Be aware that all written material is usually accessible to all parties and normally should be disclosed (seek legal advice if unsure, or contact the Privacy Commission or Ombudsman's Office).</p> <p>7. Make detailed reports of all discussions, interviews, questions and answers. Disclose the report to the other party.</p>

8. Consider the staff member's written response at a formal meeting, and determine the outcome of the investigation on the balance of probability. This meeting must be a formally constituted meeting (which must be set up in writing with the staff member being afforded an opportunity to be represented. Do seek STA or legal advice in preparing this letter, and in running the meeting.)
9. Inform the staff member in writing of a preliminary outcome, and how you reached this outcome, and invite the staff member and representative and any support person/s to a board meeting.

At the Board Meeting (with public, and anyone with a conflict, excluded (e.g., the board's staff or student rep.)

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| Investigating committee (if they have not delegated decision making authority) | 10. Brief the board in committee on the scope and outcome of the investigation and preliminary findings.

Invite the staff member or a representative to respond to the findings at the board meeting. Ask any relevant questions but confine them to issues already identified. Appoint a good note taker. |
| Staff member concerned and representative(s) | 11. Withdraw from the meeting. |
| Board of trustees | 12. Make your decision based on factual matters, recording how you arrived at the decision, and any proposed penalty flowing from your findings. Inform the staff member of the decision. You may choose to adjourn and do this in writing depending upon the seriousness of the situation. |
| Staff member concerned and representative(s) | 13. Make a final submission on the proposed penalty. You can choose to adjourn and do this in writing, or present to the board at this meeting. |
| Board of trustees | 14. Adjourn to consider the submission and then reconvene to confirm an outcome.

If it is a disciplinary sanction (including dismissal) confirm it in writing after legal advice and prior consultation with the insurance company.

You may adjourn to seek further advice or to further investigate any matter raised during the meeting. |
| | 15. Report back to the complainant(s), reassuring them as far as possible of the steps undertaken by the board to resolve their concern, and facilitate any further steps which may be required to provide satisfactory closure.

Ensure ongoing support for the complainant during and after the investigation. If the complainant is not satisfied, the board chair should advise the complainant of further avenues, e.g., Human Rights Commission, Ombudsman, Ministry of Education, ERO, Privacy Commissioner. |
| | 16. File in a register of complaints and concerns about in and out of |

school behaviour and keep for 'in-committee'.

17. Determine whether a report needs to be made to the [Education Council](#), in compliance with the mandatory reporting requirements.