



COMPLAINTS PROCEDURE

RATIONALE

From time-to-time a staff member, parent, student, or member of the wider community may feel that they have cause for complaint about a matter associated with the school.

Procedures are required to ensure that such complaints are dealt with quickly, fairly with due seriousness and with a consistent approach.

PURPOSES

- To ensure complaints are taken seriously and have a clear investigation process to follow.
- To ensure when a complaint is substantiated, an outcome is reached, and the matter is resolved to the satisfaction of the complainant.
- To ensure the complaints procedure is available to all persons on the school website and is regularly shared with the school community.
- To ensure all complaints are recorded in a complaints register maintained by the Principal's Secretary.

REFERENCES

School Trustees Association

REVIEW DATE: November 2021

Howick College is committed to our four core values of Courtesy, Commitment, Curiosity and Courage. These values will influence our behaviour and practice as members of the school community

Howick College Complaints Procedure for Student/Parent/Caregiver/Staff/Community Member Making a Complaint

Complainant has a concern about something that is under the jurisdiction of the school.

Complainant discusses concern with appropriate staff member (teacher, HOD, HOLA or Dean). Recipient of complaint determines whether complaint is a minor complaint or of a serious nature.

Complaint – Minor Issue

The staff member manages the complaint and it is resolved in a manner satisfactory to all parties

Matter unresolved or has resurfaced. Make an appointment and discuss with a Deputy Principal

Matter unresolved or has resurfaced. Make an appointment and discuss with the Associate Principal

Matter unresolved or has resurfaced. Make an appointment and discuss with the Principal

Matter unresolved. Complainant can forward their written complaint to the Chairperson of the Board of Trustees. The Chairperson then follows the board process for handling complaints, see below.

Complaint – Serious Nature

The Associate Principal manages the complaint and it is resolved in a manner satisfactory to all parties

Matter unresolved by the Associate Principal
Or

The Associate Principal determines the complaint should be managed by the Principal or board

The complaint must be detailed, in writing and signed

The Principal will immediately inform the board chairperson when a serious complaint is received

The board will follow the procedure for the board of trustees receiving a complaint, see below.

GUIDELINES FOR STAFF DEALING WITH COMPLAINTS

- Any staff member, parent, student or member of the wider community may raise a complaint.
- The complaints procedure should be applied irrespective of the source of the complaint.
- All complaints should be submitted in writing to the appropriate staff member.
- Any party to the complaints procedure may have a representative present during the process and all those involved must declare any conflicts of interest.
- It is to the benefit of everyone concerned to settle any difference(s) in a restorative way and in a timely manner. To this end:
 - Parents are encouraged to discuss any concerns regarding their child's education directly with the class teacher(s) concerned in the first instance. They are requested to make an appointment at a mutually acceptable time outside of normal class hours.
 - Similarly, students are encouraged to discuss their concerns with the appropriate subject teacher, their tutors or Dean in the first instance.
 - Failing satisfactory resolution the complaint should be elevated to a relevant line manager.
- The person dealing with the complaint should meet with the complainant and discuss salient points of the complaint. Discussions should centre on identifying the problem and planning possible remedies.
- The person dealing with the complaint will also inform the person about whom the complaint is made when appropriate and investigate the matter in an appropriate manner, which may include questioning the other party and any relevant witnesses.
- If a complaint is substantiated, an outcome should be reached and the matter resolved to the satisfaction of the complainant.
- Confidential aspects of any action taken will not be divulged to the person making the complaint or to any appropriate person(s) but the complainant will be advised that the person dealing with the complaint is taking appropriate steps to address the matter.
- It is not appropriate for staff, students and/or parents to discuss complaints about the school with other parties, (except for professional support persons), or the media, before using or whilst internal complaints procedures are in train. Persons who feel that any complaint they have made has not been adequately resolved by the internal complaint procedures may invoke external procedures such as contacting the Ministry of education or the Ombudsman.
- Complaints should be resolved within a reasonable time frame without the process being compromised by undue haste or before the procedures have been properly followed.

Howick College Complaints Procedure for Board Receiving a Complaint

A letter of complaint is received by the Presiding Member of the Board. The Presiding Member acknowledges the complaint (within 72 hours) and advises the next steps in the board process. The letter becomes part of the correspondence that will be dealt with at the next full board meeting while 'in committee'.

The letter of complaint is tabled at the board meeting (in committee) and the Board will decide the appropriate response or pathway. **If the complaint relates to a management or operational matter, then it will be referred back to the Principal.** The Board will advise the complainant of the pathway in the first instance. If the matter is not operational then the Board will decide whether to deal with it as a whole or appoint a subcommittee to investigate and make recommendations to the full Board. The school's insurance company will be advised of a potential claim.

As part of the investigation, the Board or subcommittee will review all documentation and where appropriate parties may be invited to speak to their complaint and/or answer questions. The Board/subcommittee will consider the evidence and/or information and come to a decision or recommendation to resolve the matter. The Board may take advice from NZSTA before making a final decision.

Depending on the delegated powers of the subcommittee either they or the Board as a whole will come to a resolution as to how the Board will respond and if/or what action will be taken.

The Board's response is communicated to the parties to the complaint. This may be managed either publicly or confidentially depending on the case.

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.

GUIDELINES FOR BOARD DEALING WITH SERIOUS COMPLAINTS

- Issues of a serious nature, for example allegations of physical abuse, gross misconduct, serious or sustained poor performance, dishonesty, verbal abuse, harassment, or undermining board policy may require a special meeting of the Board to be called.
- All letters addressed to the Presiding Member are for the whole Board. The Presiding Member cannot decide independently as to what action will be taken unless delegated authority to do so by the board.
- The NZSTA may be engaged to assist. The school insurers will be advised of a potential claim.
- Subject to agreement between the parties, resolution or dismissal of the complaint will not occur before all the information is at hand.
- Conflicts of interest will be declared by Board members.
- The Board must exercise caution when dealing with complaints regarding staff, particularly in relation to confidentiality and processes to ensure the principles of natural justice are met. It is advisable to contact the regional NZSTA personnel/industrial adviser in such cases. The Board will need to consider the relevant staff disciplinary policies, employment agreements and expert advice from the NZSTA advisor.
- 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.
- 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 as a reconsideration of the previous issue.
- If raising a complaint, trustees need to be clear of the difference between a complaint they are making as a parent (i.e. regarding their own child) and a complaint they are raising as a trustee (e.g. obstruction of staff preventing them carrying out board work.) In the first instance they would be required to follow the normal complaints procedure and are excluded from decision making due to conflict of interest. The latter case would be dealt with as an agenda item for the whole Board (possibly with the public excluded.)
- The Board need to be clear in their actions when a parent, community member or student makes an approach to them directly about a concern and/or complaint. The Board must advise the complainant of the correct procedures to follow and direct them to these procedures.