

**SAWYERS BAY SCHOOL PROCEDURES**  
**PASSING ON COMPLIMENTS, CONCERNS or COMPLAINTS**



**Rationale:**

Parents, caregivers, students, staff and any members of the community must feel free to inform the Board of Trustees or the Principal of areas of concern, and must be assured of receiving a considered response.

It is also important for all to know that the school welcomes feed-back about aspects that people appreciate.

**Purposes:**

To welcome positive community feed-back about any area of school operations. To have established procedures for any person to make their concerns known to the Principal or Board of Trustees, and to have any concerns or complaints dealt with effectively and fairly.

**Relating to Compliments:** these are welcomed at any time!

Positive feed-back may be passed on informally to the Principal or members of staff or Board, or may be formally logged, for passing on 'officially'.

**Procedures at Sawyers Bay School relating to concerns or complaints:**

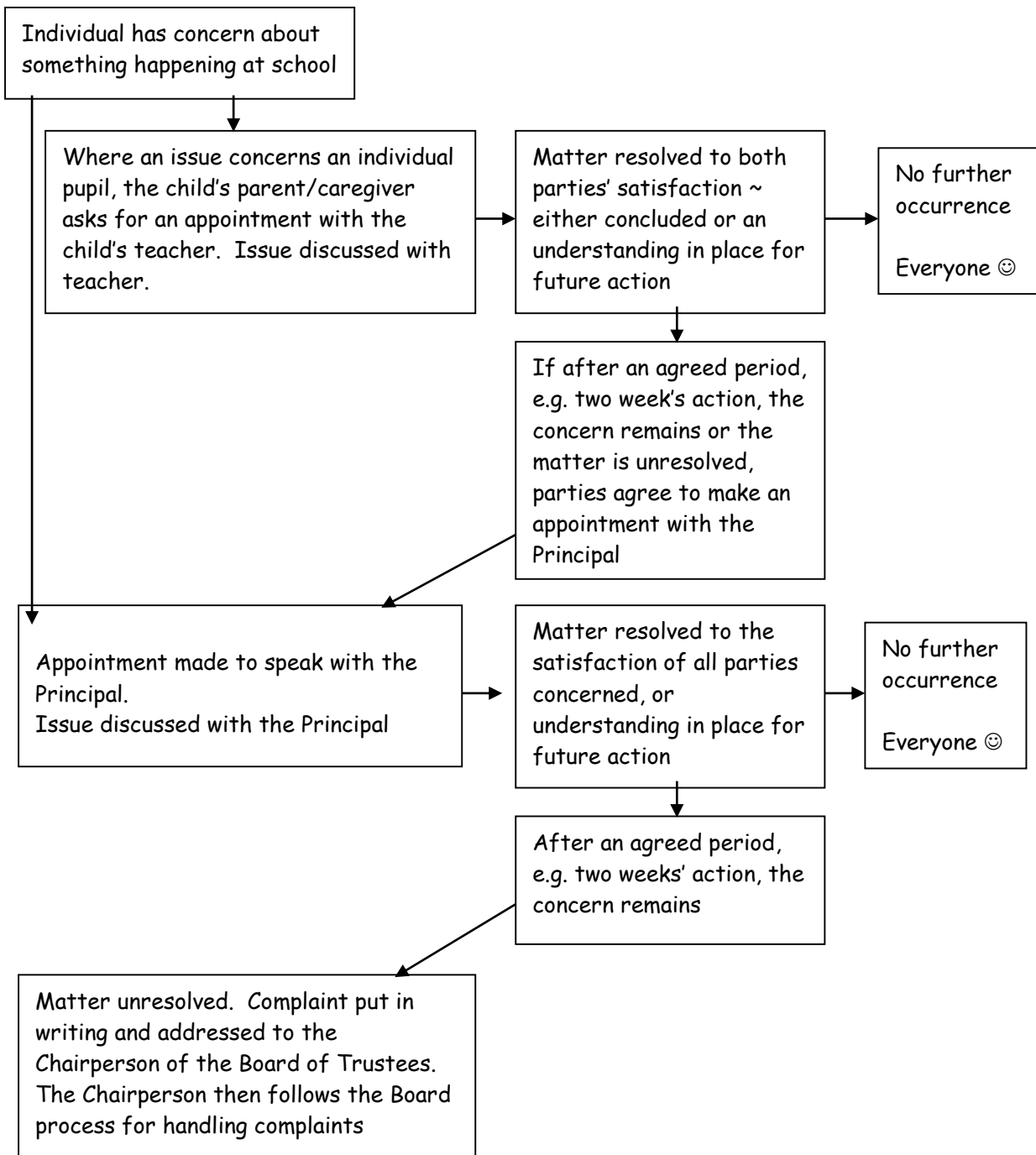
**General Principles:**

- In all complaints and personal grievance issues, employees must be treated fairly.
- Complainants must also be treated fairly and be protected from discrimination for having made the complaint
- With formal complaints and personal grievances, an employee has the right to be represented at any stage by a solicitor, bargaining agent or advocate
- An employee must be given a reasonable opportunity to provide an explanation, in relation to a complaint or proposed disciplinary action
- Maintaining confidentiality, and avoiding defamation, is important. Statements made, or information given in relation to personal grievances, are 'absolutely privileged'
- The rules of natural justice should apply when any complaint or personal grievance is being investigated
- The Principal should always advise the Chairperson of the Board of Trustees of any formal complaint or personal grievance issue
- The Board of Trustees will determine whether any employee should be suspended or dismissed as a result of a serious complaint or disciplinary issue

The two flow-charts which follow indicate the two stages of a process for expressing concerns or complaints. The first diagram shows the normal channels

for parents and others to use: the second diagram details how the Board will deal with concerns/complaints passed on through this process.

## **Community Process:**



1. While minor issues may be able to 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.
2. If the complaints procedure has not been followed the Board will normally return any letter of complaint to the writer and ask that they follow the procedure first.
3. 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 a complainant has concerns about expressing the matter clearly in writing they may discuss the matter in confidence with the Chairperson (or another delegated Board member) to enable them to gain assistance with this.
4. All parties to a complaint may bring a support person to any meeting where the issue is to be discussed.

## Sawyers Bay School Board of Trustees Complaints Procedure:

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 public is excluded.



Letter is tabled at Board meeting (**with the public excluded**) and 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 committee to investigate and recommend to the Board.



At the meeting of the Board/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.



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.



The Board's response is communicated to the parties to the complaint. This may be 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.



Shaded area denotes 'Public-excluded section of meeting'

1. Issues of a serious matter, eg allegation of physical abuse, may require a special meeting of the Board to be called. In any complaints of child abuse by an employee, or person associated with the school, the Principal or BOT will immediately refer the matter to the appropriate professional or statutory investigation agency.
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 processes, to ensure that 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 contracts and expert advice from the NZSTA adviser.
6. 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 as a reconsideration of the previous issue.
8. Trustees need to be clear in their minds about the difference between a complaint they may have as a parent (ie regarding their own child) and a complaint they may have as a Trustee (eg obstruction of staff preventing them from carrying out Board work). In the first instance, they are required to follow the normal procedures and are excluded from decision-making due to a conflict of interest. The latter case is dealt with as an agenda item for the whole Board (possibly with the public excluded).

9. Any 'Personal Grievance' complaints will be resolved in accordance with the procedures of the relevant Employment Agreement.
10. Where issues of competency or discipline are involved, and the complaint is justified, then the disciplinary procedures set out in the Employment Agreement for the person concerned shall be followed.

## **Conclusions:**

There should be established, clear communication channels and procedures between the Board of Trustees/Principal, parents/caregivers/children, Board of Trustees/Staff, and any member of the community, for the handling of concerns and complaints. All concerns or complaints presented along the lines of the procedures above should be treated with respect.

Procedural Guidelines, updated from previous "Concerns and Complaints Policy", and incorporating best practice recommendations from the NZ School Trustees Association.

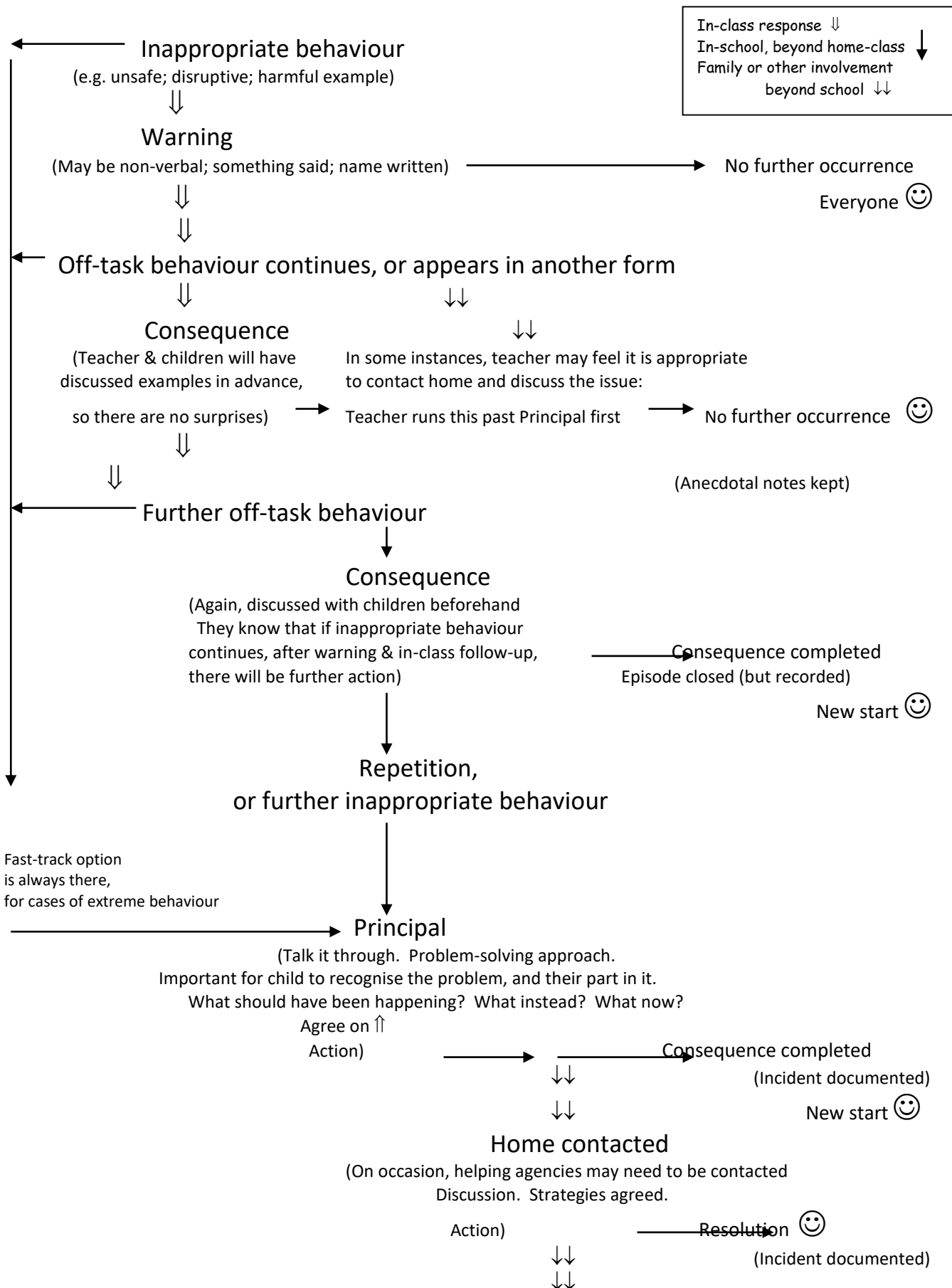
Formally approved by the Sawyers Bay School Board of Trustees – 9/08/05, with annual re-confirmation to schedule.

See also:

NZ School Trustees Association "Trustee Handbook"  
Relevant Collective Employment Contracts  
Policy/procedures relating to Disclosed or Suspected Child Abuse

Procedures followed for Stand-downs, Suspensions or Exclusions are as set out in the M.O.E. booklet *'Guidance for Principals and Boards of Trustees on STAND-DOWNS, SUSPENSIONS, EXCLUSIONS AND EXPULSIONS'* (Update published December 2009)

# ... sometimes children make bad choices



In some cases (very few, we hope) formal disciplinary action may be necessary, in accordance with legal requirements (Refer MOE, 'Guidelines ... on Stand-downs, Suspensions...' May 2015 update; sequence of actions indicated for Principal and BOT)