



## COMPLAINTS AGAINST STAFF MEMBERS

### **RATIONALE:**

The School Community contains diverse interests and viewpoints. Suggestions, concerns and complaints are likely to arise from this diversity. Procedures need to be put in place for dealing constructively and fairly with them. These procedures should be fair, straightforward, well-publicised and readily available to all concerned. Knowledge of these procedures should increase confidence between school staff, parents and community.

### **LEGAL REQUIREMENT:**

The Board of Trustees has a legal obligation to act as a good employer with regard to natural justice. The Board has an obligation to act in accordance with conditions set out in the relevant NZSTA Collective Agreements.

### **GUIDELINES:**

1. In the matter of a concern, persons should go to the individual involved. Many matters will be resolved in this way. A mutual time and place might need to be arranged for such a meeting so that relevant material can be gathered to resolve the concern.
2. If such an approach does not lead to resolution the matter is to be referred to the Principal, informally, who will endeavour to resolve the concern.
3. A formal complaint should be put in writing to the Principal. A copy of this complaint will be given to any other party or parties concerned. An initial formal interview needs to be requested. A record of the interview and any ensuing interviews will be kept recording the point(s) made, negotiated outcomes and a timeline for review when appropriate. This record will be signed and retained by all parties. If resolution is still not reached then go to Procedure 5.
4. In the case of a concern or complaint against the Principal then Procedure 1 should be followed. If this fails to result in a resolution of the concern then go to Procedure 5.

5. If a resolution is not reached, then the matter should be put in writing to the Board of Trustees Chairperson. The Chairperson will seek help from the New Zealand School Trustees Association Industrial Relations Advisor and such advice will be followed. The person/s the complaint concerns will be encouraged to seek support from NZEI or appropriate union, whanau, family, friends etc. The complaint will be tabled at the next Board of Trustees meeting and the BOT will be informed by the chair 'in committee' of steps being taken to resolve the issue.
6. If resolution is still not reached, then the matter will be referred to either the Ministry of Education, Mediator or Arbitrator approved by all parties, who shall be independent from the School. The MOE/Mediator/Arbitrator will review the information and report back to the BOT with recommendations for appropriate actions.
7. Persons intending to take matters further should inform all parties to the dispute and proceed to the next stage of the procedure as quickly as possible so that a resolution is obtained promptly.

#### **CONCLUSION :**

The views of individuals in the School Community are important to the life of the School. It is essential that individuals feel free to express their view, concerns and complaints. There is a need to recognise and accept the role of the Principal as the professional leader and manager of the School and to recognise the governance role of the Board of Trustees. We ask that users of this Policy recognise there are leadership and personnel matters that will require confidentiality.