

NAG 3 PERSONNEL

Complaints

3.8

BIBLICAL BASIS

If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses. If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector.

Matthew 18:15-17

1. OUTCOME STATEMENT

All complaints, concerns and incidents are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned.

2. RATIONAL

In order to maintain a safe and comfortable environment for all students, staff and visitors, an accessible procedure for handling complaints and grievances will be implemented and maintained to provide an open and fair way of resolving issues and will comply with all relevant legislation.

3. DELEGATIONS

The board delegates to the principal full responsibility of ensuring processes are in place and operating effectively and adequately. In the event of a complaint or grievance concerning the principal, responsibility lies with the board.

4. EXPECTATIONS AND LIMITATIONS

In complying with the policy, the principal shall not fail to:

- implement and maintain robust procedures to meet the policy requirements
- ensure that the process for complaints or grievances is clearly communicated
- report to the board as follows:.

- 4.1 When receiving a complaint, the board must ensure that the complainant has previously followed the school's concerns and complaints procedure and that the complaint has been escalated to board level correctly.
- 4.2 Should the board receive a complaint regarding the principal or determine that any policy violation may have occurred, the board in the first instance will consider whether this may be dealt with in an informal manner (as per the employment agreement provisions that apply to the principal).
- 4.3 Where the board considers the degree and seriousness of the concern or any violation sufficient to warrant initiating a disciplinary or competency process, the board shall seek the support and advice in the first instance from an NZSTA adviser to ensure due process is followed. This may also require a notification to the school's insurer.

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5 GUIDELINES

- 5.1 A complaint should not be investigated or considered if the complainant is not prepared to identify themselves.
- 5.2 Complaints should be dealt with as soon as is practically possible. Written confirmation will be given within 7 days that complaint has been received and advising of the process that will be followed and who will be dealing with it (eg: principal or board)
- 5.3 The defendant shall be advised of any complaints immediately.
- 5.4 Written complaints should clearly state the complaint and the reason for it as well as the name of the complainant.
- 5.5 In dealing with any complaint the complainant and defendant should be prepared to discuss the complaints with each other either personally or in conference with appropriate support and representation.
- 5.6 All matters should be handled in strict confidence respecting the integrity, dignity and mana of all parties.
- 5.7 All parties will comply with the rules of Natural Justice which require them to:
 - (a) adequately inform the defendant of allegations
 - (b) give adequate time for response to allegations
 - (c) approach enquiries with an open mind
 - (d) give matters due consideration
 - (e) ensure there is no predetermination of disciplinary action before a fair and reasonable enquiry has occurred
 - (f) avoid bias
 - (g) consider each case on its particular facts.
- 5.8 All parties should comply with the Biblical principles discussed in Section 2, (Personnel Policy).
- 5.9 The Board must ensure that a conflict of interests is avoided. Any arbitration must be free of bias or personal interest or advantage.
- 5.10 The Board or person processing any complaints must do so without prejudice or presumption and should refrain from expressing any personal view or judgment before any investigation is complete.
- 5.11 Complaints should not be dealt with in a public or open forum. Confidentiality should be maintained at all times.
- 5.12 If the complaint is staff related then the staff members should be informed and advised of their right to advice and representation from an appropriate service agency.
- 5.13 If the complaint is Board related then the Board must seek advice and representation from an appropriate service agency, including but not limited to NZSTA and the school's insurer.

6 PROCEDURES

- 6.1 Any complaints should first be discussed with the defendant except in the case where the Board has received a complaint against a member of staff. The Board should approach the staff member through the principal.
- 6.2 If this is not satisfactory then the complaint should be taken to the appropriate referee. Refer Complaints Overview.
- 6.3 If the complaint cannot be resolved at this level then a formal written complaint should be addressed to the Board. This may be done in consultation with a union or representative body.
- 6.4 A formal Complaints Committee, of one or more persons, should be formed by the Board to consider and, if necessary, investigate a Formal Written Complaint.
- 6.5 The formal Complaints Committee will report to the Board who will make a final and binding

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decision on the matter.

- 6.6 If the complaint is upheld or the Board believes there is a case to answer then appropriate actions must be taken.
- 6.7 If any complaints laid against staff are upheld, then the college policies on Competency and Discipline must be followed.
- 6.8 If the complaint is of the staff concerning serious misconduct or is of a serious sexual nature then the Teaching Council must be notified.
- 6.9 If the complaint is proven to be unjustified then a written apology, from the Board, to the defendant should be given and if necessary made public.

Refer Flow Chart pg 3

RATIFIED BY:

Chairperson/ _____ Date _____
Trustee

Principal _____ Date _____

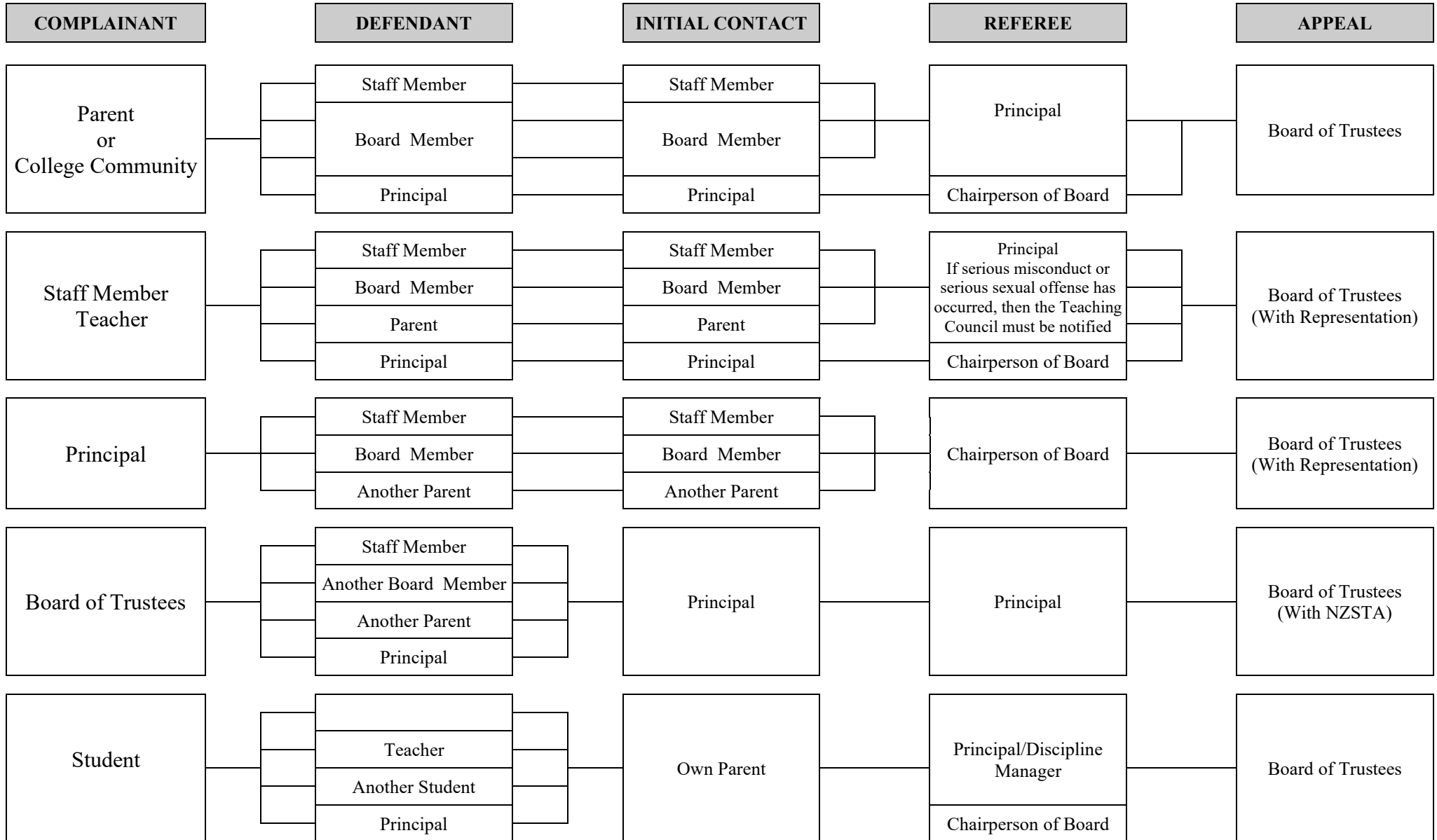
To be reviewed September 2019

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COMPLAINTS OVERVIEW



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