

# MOUNT ASPIRING COLLEGE

## Concerns and complaints policy

### a) Outcome statement

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

### b) Scope

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

### c) Delegations

The School Board delegates to the Principal responsibility of ensuring procedures and processes are in place, adhered to and operating effectively and adequately. In the event of a formal complaint to the Board responsibility lies with the Board.

### d) 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 procedure for concerns and complaints is clearly communicated to the school community.
- Report to the Board as required.
- Keep the Board Chair adequately notified and informed about concerns and complaints that the Principal is managing and notify the Board of any areas of concern or trends.

**The board will ensure that:**

- 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.
- 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).

- 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 should seek appropriate support and advice to ensure due process is followed.

**e) Procedures**

Concerns and complaints procedure.

Approved February 2024

To be reviewed annually

## Concerns and complaints procedure

### a) Rationale

It is important that the concerns and complaints of students, staff, parents and members of the school community are dealt with effectively and in a timely manner.

### b) Purpose

- To make a genuine effort to ensure that all concerns and complaints are resolved at the earliest opportunity; following set procedures that guide the process towards a resolution.
- To ensure consistency when handling both concerns and complaints.

### Step One: Concerns Procedure

Anyone with a **concern** is encouraged to discuss the matter directly with the person involved as soon as possible, to prevent issues escalating.

- Talk to the relevant staff member about the issue.
- If you have a concern about a classroom matter, you should firstly discuss the matter with the class teacher.
- Be prepared to listen to their point of view, as they will be to listen to yours.
- Note that this may require more than one meeting to resolve the issue and may require support from other members of staff to resolve.
- Please provide feedback to the staff member as to whether the concern is resolved.
- If the issue involves a student the teacher will enter a record of the concern you have, and any subsequent meetings in KAMAR Pastoral notes.

### Step Two: Concerns Procedure

If you have a **concern** about a matter which you do not feel able to discuss with the staff member directly, OR:

The concern does not involve a particular staff member, OR:

You have been unable to resolve your concern with the staff member concerned (Step One), you may contact the appropriate Dean or Head of Learning Area (HOLA) to discuss your concern.

- Contact the Dean or HOLA to make time to discuss the concern. Indicate at this time what the concern is about and the steps you have taken to remedy it, if any.

- Discuss with the Dean or HOLA; be prepared to listen to their point of view.
- Provide feedback as to whether the concern is resolved.
- Note, if the concern was about a staff member; the concern may be referred back to the staff member(s) if the Dean or HOLA decides that is appropriate, specifically where Step One has not been followed to date.

### **Step Three: Concerns**

If you have a concern about a matter which you do not feel able to discuss with the staff member directly, or the Dean/HOLA, OR:

The concern does not involve a particular staff member, OR:

You have been unable to resolve your concern with the staff member concerned (Step One), or the Dean/HOLA (Step Two) you may contact the Principal to discuss your concern.

- Contact the Principal to make time to discuss the concern. Indicate at this time what the concern is about and the steps you have taken to remedy it, if any.
- The Principal may delegate the matter to another member of the Senior Leadership team (SLT).
- Discuss with the Principal/SLT member; be prepared to listen to their point of view.
- The Principal/SLT member will email the complainant after any meeting in order to summarise their understanding and outline the resolution.
- If the matter involves a staff member, the Principal/SLT may deem it necessary to record the resolution and file it appropriately.
- Provide feedback as to whether your concern is resolved.
- Note, if the concern was about a staff member; the concern may be referred back to the staff member(s), or Dean/HOLA if the Principal decides that is appropriate specifically where Step One or Step Two has not been followed to date.

Every effort should be made by all involved, to resolve a concern through informal channels. If the concern has not been resolved by speaking with the parties as outlined above then you may make a formal complaint to the Principal.

### **Step Four: Formal Complaint to Principal**

A Formal Complaint to the Principal should be in writing (a Formal Complaint form can be downloaded from the school website and emailed to the Principal).

Only in exceptional circumstances will the Principal accept a complaint that is not in writing or where the above process of trying to resolve the issue through the informal channels has not yet occurred (unless there are good reasons why the informal channels have not been followed).

On receipt of a formal complaint, the Principal will deal with the complaint by:

- ensuring the complaint is noted in the complaints register,
- ensuring the issue is heard (by the Principal or SLT member) and making a decision on the complaint and any necessary actions or outcomes; **Or** by
- referring the complaint to the Board providing a written report with all relevant information about the complaint.

The Principal will seek legal advice depending on the nature of the complaint, and may contact Harrison Stone (lawyer for Secondary Principals Association of New Zealand), the New Zealand School Trustees Association, and/or the PPTA (if it is an employment matter).

The Principal will ensure a fair process is followed and if necessary an appropriate investigation is undertaken.

Where parents/caregivers are dissatisfied with the Principal's actions or decisions concerning any complaint they may place their concerns in writing to the School Board Chair.

### **Step Five: Formal Complaint to Board**

If the matter is not resolved by a formal complaint to the Principal or it involves the Principal directly, or it is about the School Board (or an individual member within their role as a member of the Board), then you may choose to make a Formal Complaint to the Board.

A Formal Complaint to the Board is written and addressed to the Board Chair, Mount Aspiring College School Board. (A Formal Complaint form can be downloaded from the school website and emailed to the Board Chair).

- Include details of all the actions taken to date. You may be directed back to the staff member, Dean or Principal if the correct process above has not been followed.
- All complaints will be treated as confidential to the Board and those named in a complaint letter.
- Anonymous complaints cannot be actioned by the Board.

Only in exceptional circumstances will the School Board accept a complaint that is not in writing or where the above process of trying to resolve the issue has not yet occurred (unless there are good reasons why the process has not been followed).

### **Step Six**

The Board will follow the Board complaints process.

### **Step Seven**

If you remain dissatisfied with the Board's process for handling this complaint, you may write to the Office of the Ombudsman for a formal external review of the Board's process.

**In addition to the preceding procedures the following principles apply:**

#### **Complaints against staff**

- Staff may refer concerns or complaints, made directly to them, to their Dean or Principal for assistance in having these resolved.
- All complaints against staff shall be dealt with in accordance with the relevant Employment Agreement.
- Copies of the letter of complaint should be given to the staff member for a written response.
- The staff member should be advised that they can seek representation from a professional and/or union representative.

#### **Complaints against students**

Concerns or complaints against or about students will be dealt with under the student behaviour management procedures.

#### **Culturally responsive**

There may be culturally specific circumstances that require the process to be adapted accordingly.

#### **Supporting Documents:**

Mount Aspiring College Formal Complaint Form

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To be reviewed annually

## Board complaints process

Once a letter of complaint has been received, the Board Chair should ensure the following process is followed:

### Process steps:

- 1) Ensure the process has been followed as outlined in the concerns complaints procedure or is a genuine complaint against the principal or Board.
- 2) Verify with the Principal that any staff (or others) identified in the complaint are aware of the situation and that there has been discussion and attempts to reconcile.
- 3) If the complaint or action is employment related or has potential industrial relations implications, contact the appropriate support. For all other complaints, contact the NZSTA governance advisory and support centre.
- 4) Alert the school's insurance broker.
- 5) Acknowledge the letter of complaint within 3 days and advise the board process, or redirect the complainant to principal, Dean or staff member as appropriate. If redirected, report to the board without names or detail at the next meeting.
- 6) Once confirmed as a complaint, forward it confidentially to all trustees for consideration prior to board meeting and enter it in the complaints register.
- 7) Any conflicts of interest must be declared and conflicted board members must not participate in any discussion and or decision making around the matter.
- 8) You may need to call a special board meeting. Any complaints should be dealt with in a public excluded session.
- 9) Prior to a board meeting request that principal present a full written report outlining all actions taken, advice received, meetings held and justified decisions made.
- 10) Board considers the matter and determines whether the above fully satisfies them. If so, the board decides that the matter is concluded and no further action is taken and advises the complainant.
- 11) If not satisfied, the board may refer the matter back to the Principal with or without recommendations or refer the matter to a Complaints Committee of no less than three people. The Board may include persons from outside the Board who have appropriate expertise.
- 12) The Complaints Committee will consider all relevant information and conduct any investigation or meetings it thinks necessary. Support persons or representatives should be confirmed as welcome to attend any meetings.
- 13) The Complaints Committee will report back to the full Board and recommend actions/decisions.

- 14) Board takes appropriate actions, records and formally minutes decisions and records it in the complaints register.
- 15) Board advises the complainant in writing of its decision and factors considered in reaching them, within 21 days of complaint receipt, unless otherwise agreed by all parties.
- 16) The Board may convene a follow-up meeting within 1 month of decision with the complainant.

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