

St Gerard's School Complaints and Concerns Procedure

**Compassion
Commitment**



Only by pride comes contention: but with the well advised is wisdom. **Proverbs 13:10**

Purpose of Procedure	Legislation reference	Guidelines to be followed	Delegations
<p><i>To provide a system for resolving concerns, complaints and grievances against the school and any of its employees or trustees, in a proactive and pastorally sensitive manner that is just, fair and transparent to all parties concerned.</i></p>	<p>Human Rights Act 1993 Privacy Act 1993</p>	<p><i>The St Gerard's Board of Trustees has the responsibility to ensure that concerns and complaints are dealt with correctly and responsibly. They acknowledge that St Gerard's is a Restorative School and therefore positive relationships are paramount to the running of a successful learning environment.</i></p> <p>1: In the first instance concerns should be discussed with the other party. This could be in an informal chat or formally in a letter or email.</p> <ol style="list-style-type: none"> 1. If it is a classroom issue - the teacher should be first approached 2. If the issue cannot be discussed with the teacher or is of a general nature – the Principal should be approached. 3. If neither of the above are appropriate then the chairperson of the board of trustees should be approached. <p>Normally in order for both parties to give the matter full attention, arranging a time to discuss the matter is the preferred option.</p> <p>2. Any concerns are treated as strictly confidential</p> <p>3. Unresolved concerns or complaints are to be made in written form to the Chairperson of the Board of Trustees. 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. All complaints are acknowledged and documented.</p> <p>4. In dealing with complaints, the Board, as employers, must act in accordance with conditions of relevant employment agreements and current legislation.</p> <p>5. Restorative practice will be offered initially where appropriate. Further</p>	<p>Staff/ Principal/ Board of Trustees Chairperson</p>

actions will be taken as required. All parties to a complaint may bring a support person to any meeting/ Restorative conference where the issue is to be discussed.

6. If the complaint is formal, (i.e. made in writing), the complainant will be informed of the outcomes, in writing or in person, by the Principal or Chairperson of the Board of Trustees.

Board of Trustees process

1. The letter of complaint, is acknowledged by the Chairperson and the complainant advised of next steps in the Board process. The letter is shared with the Board in a timely and confidential manner.
2. The letter is tabled at the Board meeting, in committee, (public excluded). The Board decides whether to deal with the matter as a whole or appoint a committee to investigate and bring recommendations back.
3. Recommendations to the Board will be received and the parties may be invited to speak to their complaint. The Board considers the evidence and/or information and comes to a decision.
4. The Board's response is communicated to the parties of the complaint.
5. 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.
6. The Board recognises that not all complainants will be satisfied with the outcome of the 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 on 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.

Further Notes To The Process

- 1- Issues of a serious matter, e.g. allegations of physical abuse, may require a special meeting of the Board to be called.
- 2- All letters addressed to the Chairperson 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- Conflicts 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 the principles of natural justice are met. It is advisable to contact the regional NZSTA personnel/industrial advisor in such cases. The Board will need to consider the relevant staff disciplinary policies/employment contracts and expert advice from the NZSTA Advisor.

Reviewed : May 2015

Review date: May 2018