



## **Te Aroha College**

### **Concerns and Complaints Policy**

#### **RATIONALE:**

The Te Aroha College Board of Trustees is committed to having and enacting a fair and transparent process to effectively handle complaints. The policy and process enable complaints from students, employees, whānau, family, community members and other stakeholders to be able to be dealt with effectively.

The complaints processes describe how the policy is enacted and is made readily available to the school community along with the Board policy.

#### **DEFINITIONS:**

The Board distinguishes between a concern and a complaint as:

- **Concern:** A minor issue that may be resolved informally directly between the parties involved. Both parties must be clear when there has been clear intention to meet, discuss and seek to resolve the concern. Concerns are not expected to have disciplinary, legal or industrial consequences.
- **Complaint:** A complaint is an issue of a serious nature and may involve the consideration of disciplinary, legal or employment consequences. It may involve the Principal or Board of Trustees. An unresolved or repeated concern might be escalated to a complaint.

#### **PROCEDURES/SUPPORTING DOCUMENTATION:**

The Board's policy and procedures on Vulnerable Children (Vulnerable Children's Act 2016) may be enacted should the complaint indicate that it is required.

Key aspects to the Board's complaints processes are:

1. Complaints must be made in writing, addressed to the Chairperson of the Board, and have the complainant's name and contacts available.
2. All complaints will be received 'in-committee'.
3. The Chairperson will inform the Principal of any complaint relating to employees and the Principal will investigate the complaint. If the Principal cannot resolve the complaint, it will be referred back to the Chairperson.
4. The Board will endeavour to expedite the complaints process as much as is reasonably possible. Issues which demand immediate attention (e.g. allegations of Physical abuse) may require a special meeting of the Board.
5. The Board and/or its committee will refrain from any discussion relating to resolution or dismissal of the complaint until all information is at hand for the committee.
6. A copy of the complaint should be given to the employee and principal as soon as possible.
7. The Board will reasonably endeavour to keep the complainant informed of the Board process.



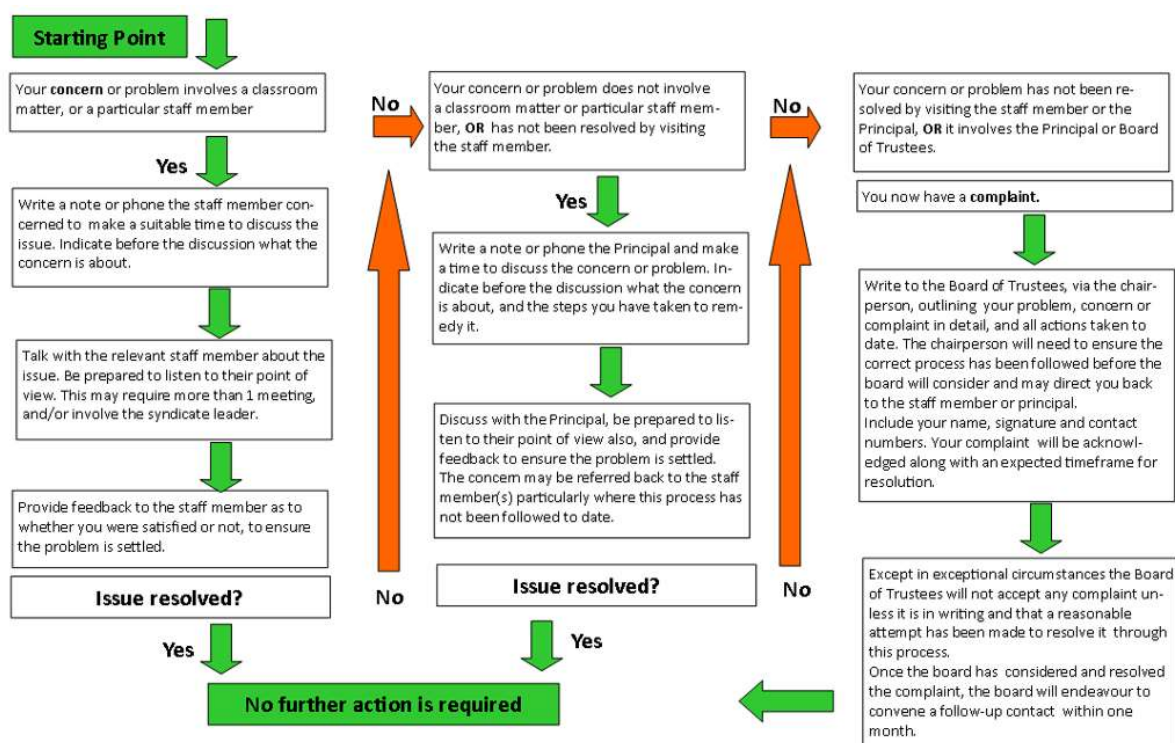
8. Contact with NZSTA will be made by the Board if there are possible legal and or employment risks identified.
9. Principles of natural justice are inherent in the process.
10. All employment agreements and employment law are adhered to.
11. The teacher, member of staff, trustee must have the opportunity to respond and be heard.
12. Any employee shall have the right to request representation at any stage and shall be advised of such at the beginning of any investigation.
13. The Board will form a committee of 2 or more people to work through the complaints process and/or may elect by Board resolution to engage an independent reviewer with specialist expertise to assist at any stage of the process.
14. If there are not 2 or more Trustees available due to conflict of interest or bias, then the Board may seek to co-opt other people for the purpose of the committee work and duration. Co-opted members will be appointed by way of an in-committee Board resolution (by email if required). A confidentiality agreement will be signed by any co-opted person prior to their joining any complaints committee.
15. The Board will delegate authority to the committee to work through the complaints process and may also include the ability to make decisions on further actions on behalf of the Board.
16. Conflicts of interest and bias are discussed in-committee by the Board prior to the appointment of the complaints committee.
17. All documentation and knowledge will remain confidential to the parties involved, and the provisions of the Official Information Act 1982 and the Privacy Act 1993 will be adhered to. The complaints committee is deemed to be in-committee at all times throughout the process of dealing with a complaint.
18. If an independent reviewer is used, then the committee and/or full Board are still required to make final decisions as to how to resolve the complaint. An independent reviewer will receive clear delegations from the Board outlined in a terms of reference and scope.
19. The Board may hold a reconsideration process if requested and if there has been new information revealed which at the time would have been relevant to the Board's deliberations.
20. The Board recognises that not all complainants will be satisfied with the outcome of the complaint. Should the complaint not be resolved to the satisfaction of the complainant, then he/she may refer the matter to the Office of the Ombudsman.
21. Employees may make a protected disclosure if required and if the nature of the complaint is in line with S5 of the Protected Disclosures Act 2000.

Ratified: May 2024

Date of next review: May 2025



## Complaints process



An independent person can provide assistance with a written complaint should that be required. Please contact the school to arrange this option.